

SC14: Complaints and Appeals Policy & Procedure

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Purpose

The purpose of this policy and procedure is to outline Mantra Academy Pty. Ltd.'s approach to managing dissatisfaction, formal complaints and appeals of students, clients, staff and other members of the community. It provides a transparent approach for all complaints and appeals to be addressed in a fair, efficient and confidential manner.

This policy and procedure ensures compliance with Standard 6 of the Standards.

Definitions

Appeal means a request for a decision made by Mantra Academy Pty. Ltd. to be reviewed

Complaint means a person's formal expression of dissatisfaction with any product or service provided by Mantra Academy Pty. Ltd.

Services means training, assessment, related educational and support services and/or activities related to the recruitment of prospective learners. It does not include services such as student counselling, mediation or ICT support

Standards means the Standards for Registered Training Organisations (RTOs) 2015 from the VET Quality Framework

Policy

- Mantra Academy Pty. Ltd. responds to all allegations involving the conduct of:
 - The RTO, its CEO, trainers and assessors and other staff.
 - Any third-party providing Services on behalf of Mantra Academy Pty. Ltd.
 - Any student or client of Mantra Academy Pty. Ltd.
- Complaints may be made in relation to any of Mantra Academy Pty. Ltd.'s services and activities such as:
 - the application and enrolment process
 - marketing information
 - the quality of training and assessment provided
 - training and assessment matters, including student progress, student support and assessment requirements
 - the way someone has been treated including, but not limited to, Mantra Academy Staff, CEO or other students
- Appeals should be made to request that a decision made by Mantra Academy Pty. Ltd. is reviewed. Decisions may have been about:

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- course admissions
 - refund assessments
 - response to a complaint
 - assessment outcomes / results
 - other general decisions made by Mantra Academy Pty. Ltd.
4. Mantra Academy Pty. Ltd. is committed to developing a procedurally fair complaints and appeals process that is carried out free from bias, following the principles of natural justice.
 5. Through this policy and procedure, Mantra Academy Pty. Ltd. ensures that complaints and appeals:
 - Are responded to in a consistent and transparent manner.
 - Are responded to promptly, objectively, with sensitivity and confidentiality.
 - Are able to be made at no cost to the individual.
 - Are used as an opportunity to identify potential causes of the complaint or appeal and take actions to prevent the issues from recurring as well as identifying any areas for improvement.
 6. Mantra Academy Pty. Ltd. acknowledges the need for an appropriate independent party to be appointed to review a matter where this is requested by the complainant or appellant and the internal processes have failed to resolve the matter. Costs associated with independent parties to review a matter must be covered by the complainant/appellant unless the decision to include an independent party was made by Mantra Academy Pty. Ltd.
 7. The independent party recommended by Mantra Academy Pty. Ltd. is RTO Audit Services, however complainants and appellants are able to use their own external party at their own cost.
 8. A student has the right to seek the assistance of an independent external party in the event of a complaint or appeal against the CEO of Mantra Academy. In this case the student has the right to lodge a complaint directly with the regulator, Australian Skills Quality Authority (ASQA).
 9. Complaints and appeals should be made in writing using the Complaints and Appeals Form, or other written format and sent to Mantra Academy Pty. Ltd.'s head office at 6 Valhalla Place, Cragieburn VIC 3064 attention to the Chief Executive Officer.
Complaints must be made with 30 calendar days of the incident or reason for complaint.
Appeals must be made within 30 calendar days of the original decision being made.
A complaint or appeal lodged outside of the stated period will not be accepted by Mantra Academy.
When making a complaint or appeal, provide as much information as possible to enable Mantra Academy Pty. Ltd. to investigate and determine an appropriate solution. This should include:
 - The issue you are complaining about or the decision you are appealing – describe what happened and how it affected you.
 - Any evidence you have that supports your complaint or appeal.
 - Details about the steps you have already taken to resolve the issue.
 - Suggestions about how the matter might be resolved.
 10. Some or all members of the management team of Mantra Academy Pty. Ltd. will be involved in resolving complaints and appeals as outlined in the procedures. Where a third party delivering Services on behalf of the RTO is involved, they will also be included in the process of resolving the complaint or appeal.
 11. Where a student chooses to access this policy and procedure, Mantra Academy Pty. Ltd. will maintain the student's enrolment while the complaints/appeals handling process is ongoing.
 12. Complaints and appeals will be finalised within 60 calendar days unless there is a significant reason for the matter to take longer. In matters where additional time is needed, the complainant or appellant will be advised in writing of the reasons and will be updated weekly on the progress of the matter until such a time as the matter is resolved.

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13. Mantra Academy Pty. Ltd. will maintain a record of all complaints and appeals and their outcomes on the *Complaints and Appeals Register*.
14. Nothing in this policy and procedure limits the rights of an individual to take action under Australia's Consumer Protection laws and it does not circumscribe an individual's rights to pursue other legal remedies.

Procedure

1. Complaints

Procedure	Responsibility
<p>A. Receive and acknowledge complaint</p> <ul style="list-style-type: none"> • As per policy, complaints are to be made in writing by the complainant, attention to the CEO. • The CEO should review all complaints upon receipt. • Acknowledge receipt of complaint in writing by sending a letter to complainant within 3 working days of receipt. Use <i>Complaint/ Appeal Acknowledgement Letter</i>. • Record details of the complaint on the <i>Complaints and Appeals Register</i>. 	CEO and Administration Team
<p>B. Investigate the complaint</p> <ul style="list-style-type: none"> • Upon receiving the complaint, the matter is to be investigated to ensure all relevant information is available and it is accurate and complete. • Further details from the complainant, respondent or other involved parties may be requested during this stage. This may be in writing, over the phone, or face-to-face. • If the matter is in relation to a third party delivering Services on behalf of the RTO, the third party should be involved in the resolution of the complaint. • The CEO will review the information and decide on an appropriate response. Where deemed necessary by the CEO, the matter may be reviewed by other members of the management team to arrive at an appropriate resolution. • Note: The complaint must be completely resolved within 60 calendar days of receipt of the original complaint. If the matter is particularly complex and it is going to take longer to resolve, the complainant is to be advised in writing along with reasons for the extra time. They must be provided with updates on progress on a weekly basis thereafter until the matter is resolved. 	CEO
<p>C. Advise of the outcome and update records</p> <ul style="list-style-type: none"> • Provide a written response to the complainant outlining: <ul style="list-style-type: none"> – The RTO's understanding of the complaint – The steps taken to investigate and resolve the complaint – Decisions made about resolution, with reasons for the decisions made – Areas that have been identified as possible causes of the complaint and improvements to be recommended 	CEO or their delegate

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Procedure	Responsibility
<ul style="list-style-type: none"> – Their right to access the appeals process if they are not satisfied with the outcome of the complaints process. • Update the <i>Complaints and Appeals Register</i> so it includes the outcome of the complaint. • Keep a copy of the complaint and supporting documents in the Complaints file and in the student or staff file (where relevant). Ensure that all staff and student files including complaints and appeals are retained in a secure lockable cabinet. • Discuss the complaint and its outcome at the next management meeting. Instigate processes to reduce the risk of a similar complaint happening in the future. • Update the <i>Continuous Improvement Register</i> if applicable for any improvements to be made as an outcome. 	

2. Appeals

Procedure	Responsibility
<p>D. Receive and acknowledge appeal</p> <ul style="list-style-type: none"> • As per policy, appeals are to be made in writing by the appellant, attention to the CEO. • The CEO should review all appeals upon receipt. • Acknowledge receipt of appeal in writing by sending a letter to appellant within 3 working days of receipt. Use <i>Complaint/Appeal Acknowledgement Letter</i>. • Record details of appeal on the <i>Complaints and Appeals Register</i>. 	CEO or delegate
<p>E. Respond to assessment appeals</p> <ul style="list-style-type: none"> • In the case of appeals against assessment decisions, the original assessment decision will be reviewed by having an assessor independent of the original decision, mark the assessment task again. • The assessment decision made during the appeals process will be considered the actual assessment outcome for the task. • Advise the student of the outcome of the appeal as per point G below. 	CEO, Training Manager or their delegate
<p>F. Respond to appeals against non-academic decisions</p> <ul style="list-style-type: none"> • Upon receiving the appeal, the matter is to be investigated to identify the original decision made and the reasons for the decision. • Further details from the appellant, respondent, the person who made the original decision, or other involved parties may be requested during this stage. This may be in writing, over the phone, or face-to-face. • If the matter is in relation to a third party delivering Services on behalf of the RTO, the third party should be involved in the resolution of the appeal. • The appellant may request for an independent party (mediator) to be involved in the process. Where this is requested by the appellant, they will bear the costs associated. Additionally, Mantra Academy Pty. Ltd. may decide to call upon an independent mediator to assist to resolve the 	Management team

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Procedure	Responsibility
<p>issue where a decision cannot be reached internally. This will be at Mantra Academy Pty. Ltd.'s cost.</p> <ul style="list-style-type: none"> • Mantra Academy Pty. Ltd.'s CEO will review all relevant information and decide on an appropriate response. • Note: The appeal must be resolved within 60 calendar days of receipt of the original appeal. If the matter is particularly complex and it is going to take longer to resolve, the appellant must be advised in writing along with reasons for the extra time. They must be provided with progress updates on a weekly basis thereafter until the matter is resolved. 	
<p>G. Advise appellant of the outcome and update records</p> <ul style="list-style-type: none"> • Provide a written response to the appellant outlining: <ul style="list-style-type: none"> – The RTO's understanding of the reasons for the appeal – The steps taken to investigate and resolve the appeal – Decisions made about resolution and reasons for the decisions – Areas that have been identified as possible causes of the appeal and improvements to be recommended • Update the <i>Complaints and Appeals Register</i> so it includes the outcome of the appeal. • Keep a copy of the appeal and supporting documents in the Complaints file and in the student or staff file (where relevant). Ensure that all staff and student files including complaints and appeals are retained in a secure lockable cabinet. • Discuss the appeal and its outcome at the next management meeting. Instigate processes to reduce the risk of a similar appeal happening in the future. • Update the <i>Continuous Improvement Register</i> if applicable for any improvements to be made as an outcome. 	CEO or Administration Team

3. Independent Reviews by External Party

Procedure	Responsibility
<p>H. External complaint or appeal</p> <ul style="list-style-type: none"> • If dissatisfied with the internal processes, the complainant/appellant may initiate an external complaint or appeal. • Additionally, a complainant or appellant who has been through the internal processes may request Mantra Academy Pty. Ltd. to appoint an independent party to review the matter. • The independent party used in this case is RTO Audit Services, however complainants and appellants are able to seek their own external parties at their own cost. • Mantra Academy Pty. Ltd. will co-operate fully in the process of the external party to investigate and review the matter. This will include and not be limited to providing full access to the relevant student file/s and the internal complaints records where permitted to do so by law. All staff will be instructed to cooperate in such instances and to give an accurate account of the events as they understand them. 	CEO

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Procedure	Responsibility
<p>I. Update records following outcome</p> <ul style="list-style-type: none"> Update the <i>Complaints and Appeals Register</i> so it includes the outcome of the external complaint. Keep a copy of the complaint and supporting documents in the Complaints file and in the student or staff file (where relevant). Ensure that all staff and student files including complaints and appeals are retained in a secure lockable cabinet. Discuss the complaint and its outcome at the next management meeting. Instigate processes to reduce the risk of a similar appeal happening in the future. Update the <i>Continuous Improvement Register</i> if applicable for any improvements to be made as an outcome. 	CEO

4. Complaint or appeal against the CEO of Mantra Academy

Procedure	Responsibility
<p>J. Complaint or appeal to be lodged with ASQA</p> <ul style="list-style-type: none"> The complainant/appellant must submit a formal complaint or appeal to Mantra Academy in the first instance as per the above procedure/s. If the complainant or appellant is not satisfied with the outcome they may submit a complaint to the regulator, ASQA. This can be done through using the ASQA online complaints form or contacting the ASQA Infoline on 1300 701 801. Mantra Academy will then follow and adhere to the directions of the regulator. 	Student
<p>K. Update records following outcome</p> <ul style="list-style-type: none"> Update the <i>Complaints and Appeals Register</i> so it includes the outcome of the external complaint. Keep a copy of the complaint or appeal and supporting documents in the Complaints file and in the student or staff file (where relevant). Ensure that all staff and student files including complaints and appeals are retained in a secure lockable cabinet. Discuss the complaint or appeal and its outcome at the next management meeting. Instigate processes to reduce the risk of a similar appeal happening in the future. Update the <i>Continuous Improvement Register</i> if applicable for any improvements to be made as an outcome. 	CEO

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