

<p><b>Purpose and Scope</b></p>	<p>The purpose of the complaints and appeals policy and procedure is for Armstrongs Drivers Education to ensure all complaints and appeals are treated seriously. Students who are concerned about the conduct of Armstrongs Driver Education are encouraged to attempt to resolve their concerns by informally discussing the issue with the people involved. With top priority to resolve through conciliation and viewed as an opportunity for improvement. If this is not possible or a resolution cannot be met, then the Complaints and Appeals procedure must be used.</p> <p><b>Scope</b>          Armstrongs Driver Education supports efficient and effective resolution of all complaints and appeals to support the restoration of positive and cooperative relationships at the earliest opportunity. The scope of this policy covers:</p> <ul style="list-style-type: none"> <li>-All students, including both potential and current students</li> <li>-All delivery modes, including stand-alone units, qualifications and accredited courses</li> <li>-All academic, training and student support and services staff</li> <li>-All corporate providers</li> </ul>
<p><b>Responsibility</b></p>	<p>It is the responsibility of the CEO to implement this procedure and ensure that the procedure is followed by people who wish to make a complaint about Armstrongs Driver Education's services</p>
<p><b>Definitions or Reference Documents</b></p>	<p><b>Definitions</b></p> <ul style="list-style-type: none"> <li>● <b>VET Quality Framework</b> – outlines the standards for achieving consistency in the way Registered Training Organisations (RTOs) are monitored. The VET Quality Framework comprises:             <ul style="list-style-type: none"> <li>○ The Standards for RTOs 2015 (The Standards)</li> <li>○ The Australian Qualifications Framework (AQF)</li> <li>○ The Fit and Proper Person Requirements</li> <li>○ The Financial Viability Risk Assessment <b>Requirements</b></li> <li>○ The Data Provision Requirements</li> </ul> </li> <li>● <b>Australian Qualifications Framework (AQF)</b> – The AQF is the national policy for regulated qualifications in Australian education and training. It incorporates the qualifications from each education and training sector into a single comprehensive national qualifications framework</li> <li>● <b>National VET Regulator (NVR)</b> – The Standards: Sets out the requirements that an organisation must meet to be a Registered Training Organisation</li> <li>● <b>VET</b> - Vocational Education and Training</li> <li>● for the delivery of nationally recognised training</li> <li>● <b>VRQA</b> - The Victorian Registration and Qualifications Authority (VRQA) is Victoria's education and training regulator</li> <li>● <b>VRQA Guidelines</b> – The Guidelines' purpose is to ensure the quality of training and assessment services in Victoria reflects a nationally consistent approach to VET regulation. The Guidelines align Victoria's regulatory settings to the national Standards for Registered Training Organisations 2015.</li> </ul>

	<ul style="list-style-type: none"> <li>● <b>AQTF Essential Standards and Conditions</b> – a national set of standards which assures nationally consistent, high-quality training and assessment services for the clients of Australia’s vocational education and training (VET) system</li> <li>● <b>Quality Indicators</b> – A set of three indicators that are part of the AQTF Essential Conditions and Standards for Continuing Registration. The quality indicators are:             <ul style="list-style-type: none"> <li>○ Employer Satisfaction</li> <li>○ Learner engagement</li> <li>○ Competency Completion Rate</li> </ul> </li> <li>● <b>Complaint</b> – Any expression of dissatisfaction with an action, product or service provided by Armstrongs Drivers Education to a client</li> <li>● <b>Grievance</b> – an actual or supposed circumstance regarded as just cause for complaint – <i>Ref: The Free Dictionary by Farlex</i></li> <li>● <b>Appeals</b> – where a client may dispute a decision made by Armstrongs Drivers Education. The decision may be an assessment decision or may be about any other aspect of Armstrongs Drivers Education’s operations</li> <li>● <b>Formal Complaint</b> – refers to an official complaint made in writing of dissatisfaction where the complainant brings a matter to the attention of the RTO but does not wish for further involvement in the resolution process. Informal complaints are of a low level of risk.</li> <li>● <b>Informal Complaint</b> – refers to an expression of dissatisfaction where the complainant brings a matter to the attention of the RTO but does not wish for further involvement in the resolution process. Informal complaints are of a low level of risk.</li> <li>● <b>Complainant</b> –refers to a person who formally lodges a complaint and appellant refers to the person who or formally lodges an appeal</li> <li>● <b>Prospective student</b> refers to a person who is seeking information about the course(s) to consider applying for admission into an Armstrongs Drivers Education course</li> <li>● <b>Academic complaint</b> refers to a complaint against a decision made about an assessment completion, failure to meet a satisfactory academic progress, an academic result, the quality of the course delivery, failure to provide services or materials included in an agreement which may include and it is not restricted to complaints regarding course progress, assessment outcomes, training delivery or course results</li> <li>● <b>Non Academic Complaint</b> refers to a complaint against a person or against an operational or personal decision and/or fact that creates discomfort, which may include but is not limited to operational, racial or sexual discrimination, unfair treatment, physical or verbal abuse, refusal of admission, non-payment of fees, and incorrect advice given prior to enrolment</li> <li>● <b>Student</b> – a person being trained and or assessed by Armstrongs Driver Education Pty Ltd</li> </ul>
<p><b>Policy</b></p>	<p>Armstrongs Driver Education is committed to fostering a learning environment where complaints and appeals are treated seriously. Complaints are resolved through conciliation. All complaints and appeals received by Armstrongs Driver Education will be viewed as an opportunity for improvement.</p>

	<p>The complaints and appeal processes are accessible, clear, transparent, confidential, constructive, and fair to all parties. The key focus is efficient and effective resolution of all complaints and appeals to support restoration of positive and cooperative relationships at the earliest opportunity.</p> <p>The complaints and appeals process will be at no cost to the student, client and/or stakeholder.</p> <p>All prospective students receive course information and the Student Course Handbook containing information on complaints and appeals from Armstrongs Driver Education’s website: <a href="http://www.armstrongsdrivereducation.com.au">www.armstrongsdrivereducation.com.au</a></p> <p>Armstrongs Driver Education staff members have been informed about the Student Complaints and Appeals Policy at induction. They can access the policy from Armstrongs Drivers Education’s website <a href="http://www.armstrongsdrivereducation.com.au">www.armstrongsdrivereducation.com.au</a></p> <p>All parties will have a clear understanding of the steps involved in this procedure.</p> <p>Students will be provided with details of external authorities they may approach if required.</p> <p>At any stage in the complaint of appeals process, students are entitled to have their own nominee included in the resolution process. If the students are using a paid nominee, it will be at their own cost. The nominee must present their photo ID while accompanying the student at any of the appointments at Armstrongs Driver Education.</p> <p>Armstrongs Driver Education will address any complaint or appeal within 5 working days.</p> <p>Students may raise any matters of concern relating to training delivery and assessment, the quality of teaching, student amenities, discrimination, sexual harassment and other issues that may arise.</p> <p>Nothing in this procedure inhibits students’ rights to pursue other legal remedies. Students are entitled to resolve any dispute by exercising their rights to other legal services.</p>
<p><b>Procedure</b></p>	<p>Students, employers, and stakeholders are able to make complaints in relation to:</p> <ul style="list-style-type: none"> <li>● Armstrongs Drivers Education,</li> <li>● Armstrongs Driver Education’s trainers and assessors,</li> <li>● Other Armstrongs Drivers Education staff,</li> <li>● Any third parties providing services on behalf of Armstrongs Drivers Education; and</li> <li>● Other students of the RTO</li> </ul>

Students can also request an appeal if they are dissatisfied with an assessment decision made by a trainer/assessor. Armstrongs Driver Education does not deny the complainant the option to seek independent legal advice.

All complaints must be entered into the Continuous Improvement Register and ensure that evidence of the resolution of the complaint is maintained and kept.

## **1.1 INFORMAL PROCEDURE**

1.1.1 Students or organisation representatives are encouraged to resolve issues informally by speaking to the trainer/staff member and/or other student(s) with whom they have a complaint.

1.1.2. If not satisfied with this process, students are further encouraged to speak to the Training Manager at Armstrongs Driver Education and present their complaint. The Training Manager will try to resolve the issue and come to a satisfactory solution. If not satisfied with this process, students must follow the formal complaints procedure.

1.1.3. The complaint and it's resolution will be documented and scanned into the student's record in the Student Management System. Hard copy of the documentation will be filed in the Continuous Improvement register.

## **1.2 FORMAL COMPLAINTS PROCEDURE**

- Students who wish to lodge a complaint can either:
  - contact administration by email. The email must outline the details of the complaint.
  - contact administration in person or via phone. Administration document the students complaint on the Lets Fix I Form on line through the intranet; or
  - completing the Contact Us Form on the RTO's website
- All online 'Let's Fix it Form' needs to be completed with the complaint received from the student. This will automatically enter in the Continuous Improvement Register which is reviewed on a weekly basis.
- Once a form has been received, it will be passed onto the relevant ADE staff member.
- The Site Supervisor or Direct Report will investigate and review the complaints and speak with the parties involved.
- Armstrongs Drivers Education will provide the student with a written response within 21 days of the complaint being received.
- Students may appeal the outcomes in writing (email), however appeals must be submitted within 5 days of the student receiving the outcome.

- The CEO and the Management team will review the appeal and may either uphold or overturn the original decision.
- The students are informed by email of the outcomes of the appeal within 10 business days. This will be recorded in the Continuous Improvement Register and student's record in Student Management System.
- Where Armstrongs Drivers Education considers more than 60 calendar days are required to process and finalise the complaint/appeal, they will inform the complainant/appellant in writing as to why this is required and will provide the complainant/appellant regular progress updates on the progress of this matter.
- Where complains and appeals are unable to be resolved internally, at the request of the individual, a review by an appropriate independent party of Armstrongs Driver Education and the complainant/appellant occurs.

Students may use an Independent Mediator if they are not satisfied with the outcome of the appeals process. However it must be suitable and agreed upon by both parties.

Armstrongs Driver Education CEO will arrange for an independent mediator to be appointed within 10 business days and will be by mutual agreement with the student.

### **1.3. EXTERNAL REVIEW BY AN INDEPENDENT MEDIATOR**

- Armstrongs Driver Education is committed to providing students with a fair and equitable process for resolving any complaints or appeals they may have. This includes the provision of an independent mediator. The purpose of the external appeals process is to consider whether Armstrongs Driver Education has followed its policies and procedures.
- Armstrongs Driver Education is committed to implement the mutually agreed recommendations from the external review.
- The cost of an external review by an independent mediator will be negotiated between both parties.
- The independent mediator shall contact the student to discuss the matter or meet face to face. The outcome of the discussion with the independent mediator shall be provided in writing to the student.
- The outcome of the independent mediator will be reported in writing (email) to the management team.
- Following the complaint, the management team will discuss an appropriate outcome with the student.

- If the student is still dissatisfied with the outcome after Armstrongs Drivers Education has engaged an external mediator, the student may lodge a complaint with the VRQA. More information can be found on their website: <http://www.vrqa.vic.gov.au/complaints/>
- Students can also contact The National Training Complaints hotline. The National Training Complaints hotline is accessible on 133873 and is available Monday to Friday from 8am to 6 pm. Students can also send complaints via email to [skilling@education.gov.au](mailto:skilling@education.gov.au)

## **1.4 ASSESSMENT RELATED APPEALS**

- If the student has been advised that they are Not Yet Competent, but they believe that judgment has been made erroneously by Armstrongs Drivers Education, the student may appeal the result.
- Armstrongs Driver Education Operational Management or Supervisors must use the 'Lets Fix It Form' to document the appeal. The form must be completed within 2 working days from receiving the appeal request.
- Armstrongs Driver Education will seek an independent review of the student's assessment by another qualified trainer/ assessor and will respond to the student in writing with the outcome and the reasons for the decision.
- In the event that the matter is not resolved through the appeals process, students may elect to have the matter reviewed by an independent mediator. The CEO will arrange for an independent mediator to be appointed and with a mutual agreement with the student.
- The independent mediator shall contact the student to discuss the matter. The outcome of the discussion with the independent mediator shall be provided in writing to the student.
- The outcome of the independent mediator will be reported to the management team, with any continuous improvement opportunities being addressed at that time.
- If the student is still dissatisfied with the outcome after Armstrongs Drivers Education has engaged an external mediator, the student may lodge a complaint with the VRQA, more information can be found on their website: <http://www.vrqa.vic.gov.au/complaints/>
- Students can also contact The National Training Complaints hotline. The National Training Complaints hotline is accessible on 133873 and is available Monday to Friday from 8am to 6 pm. Students can also send complaints via email to [skilling@education.gov.au](mailto:skilling@education.gov.au).

## **1.5 MANAGING AND RECORDING OF COMPLAINTS, APPEALS AND EXTERNAL REVIEW OUTCOMES**

- The summary of the complaints, appeals and external review procedures are followed. Any recommendations and outcomes are recorded in the Continuous Improvement Register and on ADE Internal Google Drive.
- If the complaint or appeal is against an Armstrongs Driver Education staff member, then it should be recorded in the staff member's personal file. The Quality Manager will inform the CEO of the details of the complaints/appeal and the outcome.
- Complaints and appeals are seen as opportunities for improvement. All outcomes of the complaints, appeals and the tasks generated will be documented as a Continuous Improvement on the 'Let's Fix it' Form and will automatically updated into the Continuous Improvement Register.
- The outcomes, details of the complaints and appeals will be saved for record keeping purposes in the Continuous Improvement Register. The complainant and/or appellant shall have appropriate access to these records when requested in writing to the Quality Manager.
- Armstrongs Driver Education will maintain the enrollment of the student until the complaints and appeals process is completed.
- Armstrongs Driver Education will maintain the student's enrolment throughout the internal appeals processes for all types of complaints of appeals.
- If any internal or external complaint handling or appeal process results in a decision that supports the student, Armstrongs Driver Education will immediately implement any decision, corrective and preventative action required and advise the student of the outcome in writing.

## **1.6 Complaints from external stakeholders**

Armstrong Driver Education must respond to complaints from external stakeholders within the timeframe specified in the request.

### **VicRoads**

- Armstrong Driver Education must respond in writing to requests regarding complaints/appeals from VicRoads within the timeframe specified in the request. Armstrong Driver Education must provide VicRoads with the details of the complaint and support evidence. Failure to do so may result in VicRoads issuing Armstrong Driver Education a Show Cause Notice under Clause 29 of VicRoads Accredited Heavy Vehicle Provider Service Agreement Training and Assessment Services or suspending the Services in accordance with Clause 30 under VicRoads Accredited Heavy Vehicle Provider Service Agreement Training and Assessment Services.

	<ul style="list-style-type: none"> <li>Upon receiving Armstrong Driver Education's response regarding the complaint, VicRoads may direct Armstrong Driver Education to refund the applicant's fees in part or wholly once all matters have been considered. Failure to do so may result in the suspension of the Services in accordance with clause 30 of VicRoads Accredited Heavy Vehicle Provider Service Agreement Training and Assessment Services.</li> </ul> <p>WorkSafe</p> <ul style="list-style-type: none"> <li>Armstrong Drivers Education will respond to complaints and appeals as outlined in this policy and procedure as specified in WorkSafe's Information regarding Authorisation of Registered Training Organisations as assessors of high risk work licenses.</li> </ul>	
<b>Related/Relevant Legislative/Policy Frameworks</b>	Legislation/Policy Frameworks	Relevant Website
	Privacy Act 1988 (2014 update)	<a href="http://www.austlii.edu.au">www.austlii.edu.au</a> <a href="http://www.dms.dpc.vic.gov.au/">http://www.dms.dpc.vic.gov.au/</a> <a href="http://www.comlaw.gov.au">www.comlaw.gov.au</a>
	Privacy Act and National Privacy Principles (2001)	<a href="http://www.austlii.edu.au">www.austlii.edu.au</a> <a href="http://www.dms.dpc.vic.gov.au/">http://www.dms.dpc.vic.gov.au/</a> <a href="http://www.comlaw.gov.au">www.comlaw.gov.au</a>
	Vocational Education and Training Act 1990	<a href="http://www.austlii.edu.au">www.austlii.edu.au</a> <a href="http://www.dms.dpc.vic.gov.au/">http://www.dms.dpc.vic.gov.au/</a> <a href="http://www.comlaw.gov.au">www.comlaw.gov.au</a>
	National Vocational Education and Training Regulator Act 2011	<a href="http://www.austlii.edu.au">www.austlii.edu.au</a> <a href="http://www.dms.dpc.vic.gov.au/">http://www.dms.dpc.vic.gov.au/</a> <a href="http://www.comlaw.gov.au">www.comlaw.gov.au</a>
	Tertiary Education Act 1993	<a href="http://www.austlii.edu.au">www.austlii.edu.au</a> <a href="http://www.dms.dpc.vic.gov.au/">http://www.dms.dpc.vic.gov.au/</a> <a href="http://www.comlaw.gov.au">www.comlaw.gov.au</a>
	Copyright Act, 1879. 42 Vic No 20 (modified 2002)	<a href="http://www.austlii.edu.au">www.austlii.edu.au</a> <a href="http://www.dms.dpc.vic.gov.au/">http://www.dms.dpc.vic.gov.au/</a> <a href="http://www.comlaw.gov.au">www.comlaw.gov.au</a>
	Equal Opportunity Act 2010	<a href="http://www.austlii.edu.au">www.austlii.edu.au</a> <a href="http://www.dms.dpc.vic.gov.au/">http://www.dms.dpc.vic.gov.au/</a> <a href="http://www.comlaw.gov.au">www.comlaw.gov.au</a>
	Disability / discrimination Act 2005	<a href="http://www.austlii.edu.au">www.austlii.edu.au</a> <a href="http://www.dms.dpc.vic.gov.au/">http://www.dms.dpc.vic.gov.au/</a> <a href="http://www.comlaw.gov.au">www.comlaw.gov.au</a>
	AQTF Essential Conditions and Standards for Continuing Registration	<a href="http://www.vrqa.vic.gov.au/Documents/VETEssecondstandrdscont.pdf">http://www.vrqa.vic.gov.au/Documents/VETEssecondstandrdscont.pdf</a>
	Data Provision Requirements 2012	<a href="http://www.comlaw.gov.au/Series/F2013L00160">http://www.comlaw.gov.au/Series/F2013L00160</a>
	The Australian Consumer Law (ACL) - Schedule 2 of the <a href="#">Competition and Consumer Act 2010</a>	<a href="http://www.austlii.edu.au/au/legis/cth/consol_act/caca2010265/sch2.html">www.austlii.edu.au/au/legis/cth/consol_act/caca2010265/sch2.html</a>
	Education and Training Reform Act 2006	<a href="https://education.vic.gov.au/">https://education.vic.gov.au/</a>



	VicRoads	<a href="https://vicroads.vic.gov.au">https://vicroads.vic.gov.au</a>
	Worksafe Victoria	<a href="https://worksafe.gov.au">https://worksafe.gov.au</a>
<b>Associated Documents</b>	<ul style="list-style-type: none"> <li>• Continuous Improvement Policy and Procedure</li> <li>• Continuous Improvement Register</li> <li>• Continuous Improvement Form</li> <li>• Privacy and Confidentiality Policy</li> <li>• Lets fix it form</li> <li>• Contact us form</li> <li>• Student Fees, Charges and Refund Policy and Procedure</li> <li>• VicRoads Accredited Heavy Vehicle Provider Service Agreement Training and Assessment Services.</li> <li>• VicRoads Accredited Heavy Vehicle Provider Business Procedures Manual (BPM)</li> <li>• Accredited Motorcycle Service Agreement Training and Assessment Services Roads Corporation trading as Vic Roads</li> <li>• VicRoads Accredited Motorcycle Provider business Procedures Manual (BPM)</li> <li>• WorkSafe information about authorisation of Registered Training Organisations as assessors of high risk work licenses</li> </ul>	

Managing records kept on the basis of this document				
Record Name	Code	Storage retention time	Storage Location	Responsibility
Name of document	QMSxxx	2 years	Document mapping	Name

Document change history			
Date	Version	Document Name	Description of change
8/9/2022	v3	Complaints and Appeals	Grammar and spelling check
24/10/2022	v4	Complaints and Appeal	Review of policy and procedure to ensure it meets RTO practice Inclusion of VicRoads complaints processes
26/10/2022	v5	Complaints and Appeals	Updated policy and procedure per review with CEO

Appendices	
Appendix 1	Document Name