Complaints and Appeals

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<tr><td>Purpose and Scope</td><td>The purpose of the complaints and appeals policy and procedure is for Armstrongs Driver 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 being to resolve through conciliation. Resolution of complaints and appeals will be 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.

Scope
Armstrongs Driver Education supports an 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:
-All students, including both potential and current students
-All delivery modes, including stand-alone units, qualifications and accredited courses
-All staff
-All corporate providers</td></tr>
<tr><td>Responsibility</td><td>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.</td></tr>
<tr><td>Standards and Conditions</td><td>The following table represents areas to which this policy and procedure relates in accordance with AQTF Essential Standards and Conditions, VRQA Guidelines, DTP Heavy Vehicle Business Procedures Manual, DTP Heavy Vehicle Service Agreement, DTP Motorcycle Business Procedures Manual and DTP Motorcycle Service Agreement.

<table>
<tr><th>AQTF Essential Standards and Conditions and VRQA Guidelines</th><th>DTP</th></tr>
<tr><td>Standard 2 - 2.7</td><td>DTP Heavy Vehicle Service Agreement Clause 14

DTP Heavy Vehicle Business Procedures Manual Clause 11

DTP Motorcycle Business Procedures Manual Clause 10

DTP Motorcycle Service Agreement Clause 14</td></tr>
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<tr><td></td><td>Definitions</td></tr>
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Definitions or Reference Documents	• **VET Quality Framework** – Outlines the standards for achieving consistency in how Registered Training Organisations (RTOs) are monitored. The VET Quality Framework comprises:
	  ○ The Australian Qualifications Framework (AQF)
	  ○ The Fit and Proper Person Requirements
	  ○ The Financial Viability Risk Assessment Requirements
	  ○ The Data Provision Requirements
	• **Australian Qualifications Framework (AQF) –** 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
	• **National VET Regulator (NVR) –** The Standards: Sets out the requirements that an organisation must meet to be a Registered Training Organisation
	• **VET** - Vocational Education and Training for the delivery of nationally recognised training
	• **VRQA** - The Victorian Registration and Qualifications Authority (VRQA) is Victoria's education and training regulator
	• **VRQA Guidelines –** 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.
	• **AQTF Essential Standards and Conditions –** 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
	• **Quality Indicators –** A set of three indicators that are part of the AQTF Essential Conditions and Standards for Continuing Registration. The quality indicators are:
	  o Employer Satisfaction
	  o Learner engagement
	  o Competency Completion Rate
	• **Complaint** – Any expression of dissatisfaction with an action, product or service provided by Armstrongs Driver Education to a client
	• **Grievance –** A real or imagined cause for complaint, especially unfair treatment.
	• **Appeals** – Where a client may dispute a decision made by Armstrongs Driver Education. The decision may be an assessment decision or may be about any other aspect of Armstrongs Driver Education's operations
	• **Formal Complaint** – 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.
	• **Informal Complaint** – 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.

	• **Complainant** – Refers to a person who formally lodges a complaint and appellant refers to the person who or formally lodges an appeal • **Prospective student** - Refers to a person who is seeking information about the course(s) to consider applying for admission into an Armstrongs Driver Education course • **Academic complaint** - Refers to a complaint against a decision made about: o an assessment completion o failure to meet a satisfactory academic progress o an academic result o the quality of the course delivery o 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 • **Non Academic Complaint** - 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 • **Student** – A person being trained and or assessed by Armstrongs Driver Education Pty Ltd
Policy	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. The complaints and appeals 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. The complaints and appeals process will be at no cost to the student, client and/or stakeholder. All prospective students receive course information and the Student Handbook, containing information on complaints and appeals, can be accessed through Armstrongs Driver Education's website: www.armstrongsdrivereducation.com.au 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: www.armstrongsdrivereducation.com.au All parties will have a clear understanding of the steps involved in this procedure. Students will be provided with details of external authorities they may approach if required.

	At any stage in the complaint or 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. Armstrongs Driver Education will address any complaint or appeal within 10 working days. 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. 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.
Procedure	Students, employers, and stakeholders are able to make complaints in relation to: • Armstrongs Driver Education, • Armstrongs Driver Education's trainers and assessors, • Other Armstrongs Driver Education staff, • Any third parties providing services on behalf of Armstrongs Driver Education; and • Other students of the RTO 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 Operations Manager at Armstrong's Driver Education and present their complaint. The Operations 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 its resolution must be logged as a 'Lets Fix It - Continuous Improvement' form and it will automatically be transferred into 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. The following details must be documented in the email:
    - Name of the complainant and the relevant training and assessment program
    - Date of the complaint
    - Description of the complaint including training and assessment incident dates if the complaint is in relation to training and assessment
  - Contact administration in person or via telephone. Administration document the student's complaint on the 'Lets Fix It - Continuous Improvement' form through the QMS; or
  - Completing the Contact Us Form on the RTO's website

- All 'Lets Fix It - Continuous Improvement' forms need to be completed with the complaint received from the student. This will automatically enter in the Continuous Improvement Register which is reviewed on a fortnightly basis. Action taken to address the complaint must be entered into the Continuous Improvement Register.

- Once a form has been received, it will be passed on to the relevant ADE staff member.

- The Operations Manager or Administration and Sales Manager (depending on the nature of the complaint) will investigate and review the complaints and speak with the parties involved.

- Armstrongs Driver Education will provide the student with a written response within 10 business 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.

- Where Armstrongs Driver 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 complaints 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's CEO will arrange for an independent mediator to be appointed within 10 business days and will be chosen by mutual agreement.

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 implementing 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 Driver 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 6pm. Students can also send complaints via email to skilling@education.gov.au

- Complaints received in relation to regulatory matters outside the scope of DTP definition of a customer complaint, must be referred directly to DTP

Team leader, Accredited Provider Scheme via email to provider@roads.vic.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 Driver Education, the student may appeal the result.
- Armstrongs Driver Education's Management team or Administration team must use the 'Lets Fix It - Continuous Improvement' 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 will be chosen by mutual agreement.
- 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 Driver 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. Students can also complete a complaints form here: https://www.dewr.gov.au/national-training-complaints-hotline

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 the 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 electronic personnel file. A 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 - Continuous Improvement' form and will automatically be updated into the Continuous Improvement Register.

- The outcomes and 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 by the Administration and Sales 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 or 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 preventive action required and advise the student of the outcome in writing.

1.6 Complaints from external stakeholders

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

DTP

- Armstrongs Driver Education must respond in writing to requests regarding complaints/appeals received by DTP within the timeframe specified in the request.
- Armstrongs Driver Education must provide DTP with the details of the complaint and supporting evidence. Failure to do so may result in DTP issuing Armstrongs Driver Education a Show Cause Notice under Clause 29 of DTP Accredited Heavy Vehicle Provider Service Agreement Training and Assessment Services or suspending the Services in accordance with Clause 30 under DTP Accredited Heavy Vehicle Provider Service Agreement Training and Assessment Services.
- Upon receiving Armstrongs Driver Education's response regarding the complaint, DTP may direct Armstrongs 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 DTP Accredited Heavy Vehicle Provider Service Agreement Training and Assessment Services. • All complaints are entered into the Continuous Improvement Register as they are viewed as an opportunity for improvement. The following information must be documented: ○ Name of the complainant ○ The relevant training or assessment program ○ Date complaint received ○ Description of the complaint ○ Actions to be undertaken to address the complaint