



BADT PRO-12 RTO Complaints and Appeals Procedure

1. PURPOSE

This policy/procedure supports the Standards for Registered Training Organisations in providing a process for complaints and appeals to be heard and actioned. All complaints and appeals received by BADT will be viewed as an opportunity for improvement.

2. SCOPE

The scope of this procedure is to outline the steps for handling complaints and appeals received from learners, employees, third parties and stakeholders of the RTO.

Despite all efforts of the RTO to provide satisfactory services to its students, complaints may occasionally arise that require formal resolution. The following procedures provide students the opportunity to have any issues relating to a substantiated complaint or appeal resolved and resolutions reached that attempt to satisfy all parties involved. This complaints and appeals process will be at no cost to the student.

Any student, potential student, or third party may submit a formal complaint to the RTO with the reasonable expectation that all complaints will be treated with integrity and privacy. There is no cost for the complaints process unless it is referred to a third party.

3. COMPLAINT

Students are encouraged to raise concerns directly with the person, particularly where the concerns are adversely affecting the learning environment.

A student wishing to submit a formal complaint or appeal can do so by:

If student does not feel comfortable or able to raise concerns directly with the person:

- Contact RTA Administrative Manager by phone to discuss immediate issue 08 97524255.
- Provide issue and details in writing within 5 working days following phone discussion to clarify and avoid any misunderstanding. manager@badt.com.au is a private email address that is accessed by Management only.

All formally submitted complaints or appeals are submitted to the RTO Manager. It is their responsibility to deal with the complaint in the first instance. Complaints are to include the following information:

- Submission date of complaint
- Name of complainant;
- Nature of complaint ;
- Date of the event which lead to the complaint
- Attachments (if applicable);

Once a formal complaint is received it is to be entered into the 'Complaints and Appeals Register' (in internal review Spreadsheet) which is monitored by the RTO Manager regularly. The information to be contained and updated within the register is as follows:

- Submission date of complaint
- Name of complainant;
- Description of complaint / appeal
- Determined Resolution; and
- Date of Resolution.

4. RESULT APPEAL

Student is encouraged to raise concerns immediately or within 5 working days if wishing to appeal either UOC or PDA decision.

Where a student wishes to appeal an assessment they are required to notify their assessor in the first instance. Where appropriate the assessor may decide to re-assess the student to ensure a fair and equitable decision is gained. If required, the assessor shall complete a written report regarding the reassessment outlining the reasons why assessment was or was not granted.

- DTMI PDA: if student does not agree with fail result they can review the score sheet and sit and watch the axon video with an assessor or they can contact DTMI directly to have decision reviewed.

If this is still not to the student's satisfaction the student shall formally lodge an appeal by submitting a written letter outlining their reasons for the appeal. They shall lodge this with Admin Officer and the appeal shall be entered into the 'Complaints and Appeals Register'

- Provide issue and details in writing within 5 working days. manager@badt.com.au is a private email address that is accessed by Management only.

All formally submitted complaints or appeals are submitted to the RTO Manager. It is their responsibility to deal with the complaint in the first instance. Complaints are to include the following information:

- Submission date of complaint
- Name of complainant;
- Nature of complaint ;
- Date of the event which lead to the complaint
- Attachments (if applicable);

A student may be assisted or accompanied by a support person regardless of the nature of the complaint throughout the process at all times.

Students are able to present their case in person

Once a complaint has been filed and logged in the 'Complaints and Appeals Register' (in internal review Spreadsheet) the RTO Manager shall notify the team members of the complaint and provide any further documentation related to the matter.

The RTO Manager shall then refer the matter to the appropriate staff to resolve, or make a decision on the complaint within 10 working days and keep the complainant informed of any decisions or outcomes concluded, or processes in place to deal with the complaint.

Once a decision has been reached the RTO Manager shall be required to inform all parties involved of any decisions or outcomes that are concluded in writing. Within the notification of the outcome of the formal complaint the students shall also be notified that they have the right of appeal. To appeal a decision the RTO must receive, in writing, grounds of the appeal. Students are referred to the appeals procedure.

The RTO Manager shall ensure that the RTO will act immediately on any substantiated complaint. If the internal or any external complaint handling or appeal process results in a decision that supports the student, the registered provider must immediately implement any decision and/or corrective and preventative action that is required, and advise the student of the outcome.

This complaints Procedure will cover review of any decision, including assessment decisions, made by the RTO or a third party providing services on the RTO's behalf, should the RTO ever engage a third party.

Overview

The RTO manages complaints and appeals in a transparent manner which enables learners to be informed of, and to understand their rights and obligations and the RTO's responsibilities in relation to complaints and appeals under the *Standards for Registered Training Organisations (RTOs) 2025* (the Standards).

The RTO manages and responds to complaints in relation to the quality of training and assessment; the quality of client service; and compliance with the VET Quality Framework, including allegations involving the conduct of:

- the RTO, its trainers, assessors or other employees;
- a third party providing services on the RTO's behalf, its trainers, assessors or other employees; or
- a learner of the RTO.

The RTO manages appeals or requests for a review of decisions, including assessment decisions, made by the RTO or a third party providing services on the RTO's behalf. An appeal is an application by a learner or complainant for reconsideration or review of an unfavourable decision or finding during training and/or assessment or investigation.

5. Responsibilities

All RTO employees are responsible for:

- conducting themselves in a manner consistent with the BADT Code of Conduct to minimise the incidence of complaints and allegations;
- the accurate and timely documenting of complaints and appeals as outlined in this procedure;
- ensuring that learners are fully informed of the RTO's policy and procedures for handling complaints and appeals;
- assisting a complainant or appellant to resolve concerns directly and informally with parties involved in the first instance; and
- assisting a complainant or appellant to lodge a formal complaint or appeal using the RTO's Complaints and Appeals Form, where required.

The RTO Manager is responsible for:

- offering independent review of decisions, where required.
- ensuring that the complaints and appeals process is managed and operates in a transparent manner in accordance with the principles of natural justice and procedural fairness;
- determining independent internal or external third parties to review complaint and appeal processes; and
- ensuring that complaints and appeals outcomes are used to inform continuous improvement strategies within RTO , through the internal audit process.

The Admin Officer is responsible for:

- maintaining the RTO Complaints and Appeals Register; and

RTO Trainers and Assessors are responsible for:

- assisting a complainant or appellant to resolve concerns directly and informally with parties involved, in the first instance;
- assisting a complainant or appellant to lodge a formal complaint or appeal using the RTO Complaints and Appeals Form, where required;
- considering complaints and appeals, where required;
- ensuring all complaints and appeals are recorded and dealt with in a transparent manner in accordance with the principles of natural justice and procedural fairness; and
- ensuring that complaints and appeals outcomes are used to inform continuous improvement strategies within RTO and are recorded on the RTO Continuous Improvement Register.

6. Complaints and Appeal Procedure General Principles

Principles of natural justice and procedural fairness are followed at every stage of the complaint and appeal process by allowing anyone subject to a decision by the RTO, or anyone who has allegations made against them, a right of reply before a decision is made.

The decision maker in the process is independent of the decision being reviewed.

Each complainant or party lodging an appeal may be accompanied and/or assisted by a support person throughout the process.

Complaints and appeals are handled in the strictest of confidence and records are secured in accordance with the BADT records management system.

All complaints, appeals and outcomes are documented in the RTO Complaints and Appeals Register. Outcomes of complaints and appeals processes are used to inform continuous improvement activities.

If a complainant raises a concern but is not willing to proceed with the complaint they are advised that because of the requirements of procedural fairness, in most circumstances no further action can be taken by the RTO.

Appeals of assessment outcomes are to be lodged within 5 days of when the assessment outcome is informed to the learner.

Investigations into plagiarism will be handled in accordance with the complaints and appeals procedure and will follow the principles of natural justice and procedural fairness.

a) BADT encourages informal resolutions of discrimination, sexual harassment, bullying and violence, victimisation, and vilification grievances in the first instance, as close to the source as possible, with the option of conciliation or investigation of the complaint if necessary.

b) Complaints will be investigated in a confidential manner and action will be taken to ensure that the discrimination/harassment stops. Appropriate warning or disciplinary action will be taken where harassment is found to have occurred.

c) Those responsible for advising, conciliating or investigating a complaint must act fairly and impartially, they must act without bias and avoid any conflict of interest the respondent must be given a fair opportunity to know the case against him or her and to be given the opportunity to make a considered response.

d) All staff, clients and contractors involved with the BADT complaint procedures will be treated with respect and courtesy. Enquiries and complaints will be dealt with in a sensitive, equitable, fair, and confidential manner. All attempts will be made to deal with matters expeditiously while ensuring all parties are provided with sufficient time to prepare and or respond.

e) BADT acknowledges that it is of paramount importance and in the best interests of all parties that confidentiality is maintained during these procedures.

f) BADT encourages the reporting of behaviour that breaches equal opportunity, but will not tolerate vexatious or frivolous complaints.

7. Informal Complaints and Appeals

It is expected that prior to initiating a formal complaint and appeal process, the parties involved will attempt to resolve concerns directly wherever possible. It is expected that many concerns will be resolved in the first instance.

It is expected that all parties will participate in good faith in resolving concerns so that the RTO maintains a respectful learning environment.

Learners are encouraged to raise concerns directly with the trainer, particularly where the concerns are adversely affecting the learning environment.

Where possible all non-formal attempts shall be made to resolve the complaint. This may include advice, discussions, and general mediation in relation to the issue. Any staff can be involved in this informal process to resolve issues but once a student has placed a formal complaint / appeal the following procedures must be followed.

Complaints regarding a Third Party providing services on the RTOs behalf, the RTO, its trainers, assessors and other staff.

These will be handled as per the process by the RTO Manager

Complaints regarding the student

These will be handled as per the process by the relevant Trainer/Assessor and RTO Manager.

Complaints regarding the RTO Manager

Will be handled as per the process by the Director.

6. Formal Complaints and Appeals Procedure

Stage 1 - Lodging a Formal Complaint or Appeal: manager@badt.com.au

Where the parties involved are unable to successfully resolve the concern directly, then a formal complaint or appeal may be lodged with the RTO in writing using the RTO Complaints and Appeals Form BADT-F-022 (with assistance where required). A copy of the form is provided to the complainant, and it records the following information:

- complainant's full name, address, phone/email address;
- details of the concern raised by the complainant;
- the complainant's desired outcome;
- reasons outlining the escalation to a formal process;
- if the complaint relates to another party, that party's full name and position; and
- the particulars of the decision or finding in dispute (for a review of decision).

The RTO acknowledges receipt of all complaints and appeals in writing. The acknowledgement outlines the anticipated review period.

The RTO notifies the RTO Manager of the complaint or appeal which is recorded on the RTO Complaints and Appeals Register.

Where the RTO considers more than 60 calendar days are required to process and finalise the complaint or appeal, the RTO informs the complainant or appellant in writing, outlining reasons why more than 60 calendar days are required, and regularly updates the complainant or appellant on the progress of the matter.

All students have the right to appeal decisions made by the RTO where reasonable grounds can be established. The areas in which a student may appeal a decision made by the RTO may include:

- Assessments conducted
- Deferral, suspension, or cancellation decisions made in relation to the student's enrolment
- Or any other conclusion / decision that is made after a complaint has been dealt with by the RTO in the first instance.

To activate the appeals process the student is to complete a 'Complaints and Appeals Form' which is to include a summary of the grounds the appeal is based upon. The reason the student feels the decision is unfair is to be clearly explained and help and support with this process can be gained from student administrations department. The RTO Manager shall then determine the validity of the appeal and organise a meeting with all parties involved in the matter and attempt to seek resolution where appropriate.

The process for all formally lodged appeals will begin within 10 working days of the appeal being lodged. The RTO Manager shall ensure that the RTO acts on any substantiated appeal.

Where an appeal has been lodged it will be defined into one of the following categories and the appropriate procedures followed:

Stage 2 - Determination of Outcome

Where the RTO determines that they have the decision making capacity they make a determination and inform the complainant of the outcome in writing within 60 days. Decisions or outcomes of the complaint or appeals process that resolve the complaint or appeal and find in the favour of the party are implemented immediately.

The RTO Manager notifies the Admin officer of the outcome and action implemented. Documentation is securely filed and the outcome and continuous improvement action is noted in the RTO Complaints and Appeals Register.

If a complaint cannot be investigated by the RTO (for whatever reason), then RTO Manager will inform the complainant at this point and refer them to the most appropriate body.

Stage 3 - Internal Review of Determination

Where the RTO is unable to make a determination or the complainant is dissatisfied with the outcome they can appeal and request a review of the decision from a third party. Appeals or requests for review of decisions are to be lodged in writing within 28 days of the decision or outcome.

Requests for appeal or review of decisions are referred to the RTO Manager who will identify and assign an internal review officer within BADT, but independent of the RTO or decision. The Director may be assigned as an independent reviewer.

The RTO acknowledges receipt of the request for internal review in writing. The acknowledgement outlines the anticipated review period and the designated review officer. The review process and review officer is recorded in the RTO Complaints and Appeals Register.

The reviewing officer makes a determination and advises the appellant of the decision or outcome in writing. Decisions or outcomes of appeal or review process that find in the favour of the appellant are implemented immediately.

The RTO Manager will notify the RTO of the outcome and action to be implemented. Documentation is securely filed and the outcome and continuous improvement action is noted in the RTO Complaints and Appeals Register.

Stage 4 – Independent Third Party Review of Determination

Where the appellant is dissatisfied with the outcome of the internal review they can appeal and request a review of the decision from an independent external third party. Appeals or requests for independent third party review of decisions are to be lodged in writing within 28 days of the decision or outcome.

Requests for appeal or review of decisions are referred to an independent third party or external mediator, determined by the Director or RTO Manager.

The RTO will acknowledge receipt of the request for independent third party review in writing. The acknowledgement outlines the anticipated review period and the independent reviewing officer. The review process and reviewing officer is recorded in the RTO Complaints and Appeals Register.

The RTO discloses any costs associated with a third party review, so all parties are aware of any costs they may incur. TAC is not able to act as the independent third party for reviewing complaints.

The independent reviewing officer makes a determination to TAC. The RTO advises the appellant of the decision or outcome in writing. Decisions or outcomes of the appeal or review process that find in the favour of the appellant are implemented immediately.

The RTO Manager will notify the RTO of the outcome and action to be implemented. Documentation is securely filed and the outcome and continuous improvement action is noted in the RTO Complaints and Appeals Register.

If a student is still dissatisfied with the decision of the RTO, a student may wish to escalate the matter. Appeals can relate to assessment decisions but they can also relate to other decisions, such as a decision to exclude a student from a program. Clients should be encouraged to resolve complaints and appeals through the complaint mechanisms. If they are not satisfied with the outcomes of these processes they should contact Training Accreditation Council (TAC) by completing the online complaint form. <https://rtoportal.tac.wa.gov.au/eform-complaint/>

Where a decision or outcome is in favour of the student the RTO shall follow the required action and recommendation from the third party mediator such as TAC to satisfy the student's appeal as soon as practicable.

VERSION	DATE	CREATED/AMENDED BY	COMMENTS/AMENDMENTS	RESPONSIBLE PERSON
0	15/08/17	Corp Quality Consult	Procedure created	Corp Quality Consult
1	22/09/17	Corp Quality Consult	Procedure amended – position names	Corp Quality Consult
2	20/02/20	Badt Admin	Format changes made refer IR-190163	RTO MGR
3	28/05/21	RTO Mgr	Changed link to complaints form	RTO Mgr
4	28/05/24	RTO Mgr	Review	RTO Mgr
5	13/10/26	RTO Mgr	Include email address for communication	RTO Mgr