

RTO Complaints and Appeals Policy

1. Policy Statement

This policy and procedure provides clear and practical guidelines to ensure that complaints and appeals received about KAMS Registered Training Organisation (RTO), about and from students, trainers, staff and/or third parties can be resolved equitably and efficiently, and in accordance with the principles of natural justice.

KAMS believes that a person, who has a complaint or appeal, has the right to raise the complaint or appeal and expect that every effort will be made to resolve it in accordance with this policy, and without prejudice or fear of reprisal or victimisation.

The person has the right to present the complaint or appeal formally and in writing.

KAMS will manage all complaints and appeals fairly, equitably and as efficiently as possible. KAMS will encourage the parties to approach the complaint or appeal with an open mind, and to resolve problems through discussion and conciliation.

KAMS seeks to prevent complaints by ensuring high levels of satisfaction with its training and assessment, its performance as an RTO and with its public image. If a complaint should arise, all staff are expected to be fair, courteous and helpful in all dealings with the person making the complaint or lodging the appeal, and to assist or refer where they can.

Where a complaint or appeal cannot be resolved through discussion and conciliation, KAMS acknowledges the need for an appropriate external and independent person/party to mediate. The parties involved will be given the opportunity to formally present their case in an independent forum.

Confidentiality will be maintained throughout the process of making and resolving complaints/appeals. KAMS seeks to protect the rights and privacy of all involved, and to facilitate the return to a comfortable and productive learning environment.

A copy of this Policy is available to the public, all stakeholders, students and staff via the Kimberley Aboriginal Medical Services website and is available in the Student Handbook. Information and contact details of external authorities who may be approached, is also included.

Student Academic Misconduct

Consequences for academic misconduct can result in assessments being deemed Not Yet Competent (NYC), academic integrity investigation, requirement to undertake an alternative assessment, or disciplinary action consistent with the RTO. See doc 4512 RTO Assessment Policy for further information.

Student/s have the opportunity to appeal the decision using doc 1533 RTO Complaints and Appeals Form.

2. Procedure

Should a person have a complaint or appeal, the following steps are to be followed:

1. Discuss the issue directly with those involved or the Student Support Team Leader to try and resolve it verbally.
2. If no resolution is reached, discuss the issue with the RTO Senior Manager to see if it can be resolved.
3. The outcomes will be put in writing and signed by both parties. One of the two copies of the outcome will be placed on file with the RTO Compliance Officer and securely stored.
4. If there is still no resolution, the person should put the following information relating to the complaint or appeal in writing to the Executive Workforce Manager. This written notification can be made using the Complaints/Appeals Form (Doc 1533) or by email, letter or over the phone (with a dictation made by the RTO representative), and must include:
 - A description of the complaint or appeal.
 - A statement about whether the person wishes to formally present their case.
 - Information about any prior steps taken to deal with the complaint or appeal.
 - What they would like to happen to fix the problem and prevent it from happening again.
5. A written acknowledgement of receipt of the complaint/appeal will be forwarded to the complainant within five (5) working days.
6. The Executive Workforce Manager will either deal with the issue personally or arrange for it to be dealt with by an authorised delegate. This process must commence immediately from the time the Executive Workforce Manager receives the **written notification** and a response/resolution must be presented within 14 working days.
7. The Executive Workforce Manager (or authorised delegate) will:
 - Undertake a preliminary enquiry to determine the nature of the complaint/appeal.
 - Inform other relevant parties (if necessary).
 - Provide all parties an opportunity to present their case (with a support person if required).
 - Discuss with the parties any resolution and any arrangements required by the RTO.
 - Record the outcome of the discussion on Complaints/Appeals Form (Doc 1533).
 - Provide the outcome in writing to the person (and other parties if relevant).
8. Should the issue still not be resolved to the person's satisfaction, KAMS RTO will make arrangements for an independent party to resolve the issue and outline any costs that may be involved. The person will be given the opportunity to formally present their case. The time frame for this process may vary but should take no longer than 14 working days.
9. All parties involved will receive a written statement of the outcomes, including reasons for the decision within the 14-working day period. If the process is taking longer than 60 days from the complaint or appeal being received, the person will be notified in writing of the reason for the delay and kept informed of all progress.

10. If the person is still not happy with outcomes from the independent process, they may take their complaint to the VET Regulator – Training Accreditation Council Western Australia (TAC).

Information about the process can be found at:

<http://www.tac.wa.gov.au/students/Pages/Complaints-against-RTOs.aspx> or at the National Complaints Hotline at <https://www.dewr.gov.au/national-training-complaints-hotline>.

11. From any substantiated complaints and appeals, the causes will be reviewed as part of the KAMS RTO's continuous improvement processes, and appropriate corrective action will be taken to prevent or reduce the likelihood of reoccurrence. Actions will be recorded on the Continuous Improvement Register.
12. Any complaint that is related to illegal activity, such as theft, assault etc., will be immediately referred to the appropriate authority.
13. All documentation relating to complaints or appeals will be stored securely as per the Records Management Procedure.
14. The RTO Senior Manager will be personally responsible for the implementation and maintenance of the policy.

3. Roles and Responsibilities

RTO Student Support

- Receiving complaints/appeals.
- Forwarding onto RTO Senior Manager if immediate resolution cannot be reached.

RTO Senior Manager

- Reviewing and deciding on resolution for the complaints/appeals.
- Forwarding to Executive Workforce Manager if required.
- Implementing and maintenance of the policy.

Executive Workforce Manager

- Reviewing complaints/appeals.
- Deciding on resolution for the complaints/appeals.
- Engaging independent party if required.

RTO Compliance Officer

- Recording complaints/appeals.
- Updating Continuous Improvement Register.
- Monitoring effectiveness of resolution.

4. Definitions

TERM	DEFINITION
Appeal	is where a student or staff member or stakeholder of KAMS or another interested party disputes a decision arising from a complaint, an assessment decision, or another decision made by the RTO. Complaints and appeals can arise from matters of concern relating to: • training delivery and assessment • the quality of the training • student support • materials • discrimination • harassment
Complaint	is any expression of dissatisfaction with an action or service of the RTO.
Natural Justice	is concerned with ensuring procedural fairness. It involves: • Decisions and processes free from bias. • All parties having the right to be heard. • All parties having a right to know how and of what, they are involved/accused of. • Investigating a matter appropriately before a decision is made. • All parties being told the decision and the reasons for the decision.
Person	is someone making the complaint (complainant or appellant) and can be an individual, a group or an entity/organisation.

5. Related Documents

- Doc 1051 RTO Training Policy
- Doc 4512 Assessment Policy

Registration Standards 2025

- Outcome Standard 1 Training and Assessment