COMPLAINTS & APPEALS POLICY AND PROCEDURES

Job Skills Training Academy (JSTA) is dedicated to deliver a high standard of service. Should you have a complaint or wish to appeal an assessment result, you are encouraged to do so by using the following processes:

Complaints are the expression of dissatisfaction with the quality or any aspect of the business operations and service, including nuisances, discrimination or similar against another person, inclusive of Students, Staff and Contractors.

The following are examples of issues for which you may lodge a complaint:

- Enrolment process
- The conduct of JSTA, Trainer/ Assessor & Administration team, or another student
- Training and/or assessment process, including Recognition of Prior Learning
- Student support services
- Facilities and amenities
- Access and equity issues
- Discrimination, bullying, harassment or victimisation
- Behaviour of staff, contractors or other students
- Administrative services
- Any other activities/ parties associated with the delivery of training and assessment services and ,or JSTA Operations

When implementing this policy and procedure, JSTA is committed to upholding principles of fairness and justice. We strive to prevent any victimization of individuals who wish to lodge a complaint about our services and ensure that no one is discriminated against for pursuing such complaints.

All JSTA employees, associates, and students are informed about the complaints and appeals processes through induction resources and training. students will be made aware of their right to file a complaint or appeal through the student handbook and orientation processes. The student handbook is provided to all student at the time of enrolment and is also available at JSTA website https://www.jobskillstrainingacademy.com/

Complaint Resolution Process

Stage 1 – Informal Resolution

Students are encouraged, where appropriate, to discuss the issue directly with the person concerned, such as their Trainer or Assessor, to seek an informal resolution

Stage 2 – Formal Complaint

If the matter is not resolved, or the student is not comfortable raising the issue with the person concerned, a formal complaint may be submitted in writing using the Complaint and Appeals Form and forwarded to the Director.

The complaint will be acknowledged and investigated impartially. All parties involved will be given an opportunity to present their version of events.

Stage 3 – Internal Review

If the complainant is not satisfied with the outcome, they may request that the Director conduct a further review of the complaint and the actions taken.

Stage 4 – External Review

Where the matter remains unresolved, Job Skills Training Academy may engage an independent third party to assist in mediation or review. This may include relevant industry representatives, legal representatives, mediation services, anti-discrimination agencies, other RTOs, or other appropriate independent parties.

Where practicable, the complainant will be advised in writing of the outcome of the investigation and any actions arising from the complaint within twenty (20) business days of receiving the complaint.

All complaints and outcomes will be recorded and retained in accordance with the organisation's records management requirements.

To make a formal complaint, students should do so within ten (10) business days of the incident occurring. The complaint should be made in writing using the Complaints and Appeals Form available on the JSTA website and sent to admin@jobskilltrainingacademy.com. In the event that the student is unable to complete the form, JSTA staff will complete the form on behalf of the student. JSTA will record information about the complaint in the Complaints Register and will acknowledge receipt within five (5) business days of receiving the complaint.

When practicable, the outcome of an investigation, along with the decision or solution, will be sent to the Complainant, as well as other affected parties, in writing within twenty (20) business days of the complaint being received. Where JSTA considers more than thirty (30) business days are required to process and finalise the complaint, JSTA will:

a) Inform the Complainant in writing, including reasons why more than thirty calendar days are required, and
b) Regularly update the Complainant on the progress of the matter

Assessment Appeals

Job Skills Training Academy recognises the right of all students to appeal an assessment decision where they believe the assessment outcome was unfair, inconsistent, did not comply with the Principles of Assessment and Rules of Evidence, or where procedural fairness was not applied.

An assessment appeal is a formal request by a student for a review of an assessment decision, including a determination of Competent (C), Not Yet Competent (NYC), Recognition of Prior Learning (RPL), Credit Transfer, or any other assessment-related decision.

Grounds for Appeal

There are various grounds for lodging an assessment appeal. These include, but are not limited to:

- A competency outcome (Competent or Not Yet Competent)
- Assessment procedures or processes
    - Student's needs not taken into consideration
    - Not being fully informed of the assessment process
    - the assessment process is different to that outlined by the Trainer/Assessor
    - assessment process not based on Training Package/Unit of Competence requirements
    - an inappropriate method used to assess the Training Package/Unit of Competence
- Recognition of Prior Learning (RPL) assessment decisions
- Credit Transfer decisions
- The conduct of an assessor and (or)alleged incompetence or bias of the Trainer/Assessor
- Faulty or inappropriate equipment or facilities

Assessment Appeal Process

Step 1 – Informal Resolution

Students should first discuss the assessment outcome with the Trainer/Assessor responsible for the decision and seek clarification regarding the assessment result and evidence used to determine the outcome.

The Trainer/Assessor will review the decision with reference to the relevant unit of competency, assessment tool, assessment criteria, Principles of Assessment and Rules of Evidence and where appropriate, provide the student with an opportunity to address any misunderstandings or gaps in evidence.

This step must commence within ten (10) working days of the student being notified of the assessment outcome.

Step 2 – Formal Appeal

If the matter is not resolved through informal resolution, the student may lodge a formal appeal by completing the Assessment Appeal Form and submitting it to the Director. Within five (5) working days of completion of Step 1.

The appeal must clearly identify:

- the assessment decision being appealed;
- the grounds for the appeal; and
- any relevant supporting evidence or documentation.

Upon receipt, the Director will acknowledge the appeal in writing within (5) working days and record the appeal in the Complaints and Appeals Register. The acknowledgement will confirm the process, expected timeframes, contact person, and the student's right to provide further relevant information.

Step 3 – Internal Independent Assessment Review

The assessment decision will be reviewed by a suitably qualified and independent Assessor who was not involved in the original assessment decision wherever practicable. The reviewer may:

- examine the assessment evidence;
- review assessment records;
- interview relevant parties;
- request additional evidence; and/or
- conduct a reassessment where appropriate.

The reviewer will determine whether the original assessment decision should be upheld, amended, set aside, or whether reassessment is required. The review must be based on valid, sufficient, authentic and current evidence and must be documented clearly enough to demonstrate how the outcome was reached.

The student will be advised in writing of the review outcome and reasons for the decision, any action to be taken, and the next available avenue of appeal.

This review will normally be completed within ten (10) working days of receiving the formal appeal. If additional time is required, the student will be advised in writing of the reason for the delay and the revised timeframe

Step 4 – Internal Review by Director

If the student remains dissatisfied with the outcome of the independent assessment review, they may request a further review by the Director within five (5) working days of receiving the written outcome.

The Director may:

- review all documentation and evidence;
- consult with relevant staff;
- appoint an internal review panel where appropriate; and
- determine whether the original decision should be upheld, amended, or whether reassessment is required.

The student will be provided with a written outcome, including the reasons for the decision and any actions arising from the review and other external options. The outcome of the internal review will normally be provided within ten (10) working days of the request being received. Any extension to this timeframe must be communicated in writing.

Step 5 – External Review

If the student remains dissatisfied following the completion of the internal appeals process, they may seek an independent external review. Job Skills Training Academy may refer the matter to an appropriate independent reviewer, which may include another Registered Training Organisation (RTO), a suitably qualified independent assessor, or industry experts who hold relevant current industry skills, knowledge and experience, and where applicable, current vocational education and training (VET) currency. The external reviewer will be selected based on their independence, relevant expertise, and capacity to review the matter fairly and objectively. Job Skills Training Academy will cooperate fully with any external review process and provide all relevant documentation as required.

General Appeals

Job Skills Training Academy recognises the right of all students to appeal decisions that adversely affect them. A general appeal is a formal request by a student for a review of a non-assessment related decision where they believe the decision was unfair, unreasonable, inconsistent, discriminatory, procedurally incorrect, or not made in accordance with organisational policies, procedures, contractual obligations or legislative requirements.

Students may appeal decisions made by Job Skills Training Academy, its employees, trainers, assessors, support staff, or any person acting on behalf of the organisation where those decisions adversely affect the student.

All appeals will be managed confidentially and in accordance with the principles of procedural fairness and natural justice. Students may access the appeals process without fear of victimisation, discrimination, disadvantage or reprisal.

Grounds for Appeal

There are various grounds for lodging a general appeal. These include, but are not limited to:

- Deferral, suspension or cancellation of enrolment decisions
- Refusal of enrolment or admission decisions
- Decisions relating to fees, charges, refunds or payment arrangements;
- Decisions relating to access to support services, reasonable adjustment or welfare support;
- Student conduct or disciplinary decisions
- Issuance, withholding or replacement of certification documentation
- Administrative decisions affecting a student's rights or obligations;
- Organisational policies or procedures not being applied correctly
- Allegations of unfair treatment, discrimination, bias or lack of procedural fairness;
- Decisions relating to access to training, learning resources or other student services; and
- Any other non-assessment related decision that adversely affects a student.

General Appeals Process

Step 1 – Informal Resolution

Students should first discuss the matter with the staff member responsible for the decision, or another appropriate representative of Job Skills Training Academy, and seek clarification regarding the decision and the reasons for the outcome.

The staff member will review the decision with reference to relevant policies, procedures, legislative requirements and supporting documentation and, where appropriate, seek to resolve the matter informally.

This step must commence within ten (10) working days of the student becoming aware of the decision being appealed.

Students may be accompanied and assisted by a support person, advocate, guardian, interpreter, nominee or representative during any stage of the appeals process.

Step 2 – Formal Appeal

If the matter is not resolved through informal resolution, the student may lodge a formal appeal by completing the Complaints & Appeals Form and submitting it to the Director within five (5) working days of completion of Step 1.

The appeal must clearly identify:

- the decision being appealed

- the grounds for the appeal
- the outcome sought by the student; and
- any relevant supporting evidence or documentation.

Upon receipt, the Director will acknowledge the appeal in writing within five (5) working days and record the appeal in the Complaints and Appeals Register.

The acknowledgement will confirm:

- receipt of the appeal
- the appeal process and expected timeframes
- the contact person responsible for managing the appeal;
- the student's right to provide further relevant information; and
- the student's right to be accompanied and assisted by a support person.

Reasonable adjustments and assistance will be provided where required to ensure equitable access to the appeals process.

Step 3 – Independent Internal Review

The decision will be reviewed by a suitably qualified and independent person who was not involved in the original decision, wherever practicable.

The reviewer may:

- examine relevant records and documentation;
- review organisational policies and procedures;
- interview relevant parties
- request additional information or evidence;
- consider applicable legislative and regulatory requirements; and
- seek specialist advice where appropriate.

The reviewer will determine whether the original decision should be upheld, amended, set aside, reconsidered, or whether additional actions are required.

The review must be conducted objectively and documented clearly enough to demonstrate how the outcome was reached.

The student will be advised in writing of the review outcome and reasons for the decision, any action to be taken, and the next available avenue of appeal.

This review will normally be completed within ten (10) working days of receiving the formal appeal. If additional time is required, the student will be advised in writing of the reason for the delay and the revised timeframe.

Step 4 – Internal Review by Director

If the student remains dissatisfied with the outcome of the independent review, they may request a further review by the Director within five (5) working days of receiving the written outcome.

The Director may:

- review all documentation and evidence
- consult with relevant staff
- meet with the student and other relevant parties
- appoint an internal review panel where appropriate; and
- determine whether the original decision should be upheld, amended, set aside or reconsidered.

The student will be provided with a written outcome, including the reasons for the decision, any actions arising from the review, and any available external review options.

The outcome of the internal review by the Director will normally be provided within ten (10) working days of the request being received. Any extension to this timeframe must be communicated in writing.

Step 5 – External Review

If the student remains dissatisfied following completion of the internal appeals process, they may request an independent external review.

Job Skills Training Academy may refer the matter to an appropriate independent reviewer, mediator, dispute resolution service, consumer protection body, Ombudsman, government agency, or another suitably qualified independent person or organisation with relevant expertise and no involvement in the original decision.

The external reviewer will be selected based on their independence, expertise and ability to review the matter fairly, objectively and impartially.

Where reasonably practicable, the external review process will be available at no cost or low cost to the student.

Job Skills Training Academy will cooperate fully with any external review process and provide all relevant documentation as required, subject to privacy and confidentiality requirements.

Procedural Fairness and Student Protection

All parties involved in an appeal will be afforded procedural fairness and natural justice, including the opportunity to present relevant information and respond to matters raised during the review process.

No student will be victimised, discriminated against, disadvantaged or subjected to adverse treatment as a result of lodging an appeal.

Where appropriate, Job Skills Training Academy will maintain the student's enrolment and participation in training while the appeal is being considered.

Record Keeping and Continuous Improvement

All appeals, outcomes, actions and recommendations arising from the appeals process will be recorded in the Complaints and Appeals Register and maintained in accordance with privacy, confidentiality and record management requirements.

Where an appeal identifies opportunities for improvement, corrective and preventative actions will be recorded in the Continuous Improvement Register, assigned to responsible personnel, monitored to completion and reviewed for effectiveness.

Supporting documents

- Complaints and Appeals Form
- Complaints & Appeals Register
- Continuous Improvement Register