

1. Purpose

As a Registered Training Organisation (RTO), the MTA Group Training Scheme Inc. must have adequate procedures in place to deal with complaints and appeals received from students, employers, third parties and stakeholders, to ensure compliance with all aspects of the Vocational Education and Training (VET) Quality Framework at all times.

2. Policy Statement

This policy and procedure aims to satisfy The MTA Group Training Scheme Inc.'s obligations to manage complaints and appeals in a transparent manner, which enables students, employees, third-party partners and stakeholders to be informed of, and to understand their rights and obligations as well as The MTA Group Training Scheme Inc.'s responsibilities in relation to complaints and appeals.

The MTA Group Training Scheme Inc. is committed to:

- To providing an environment in which complaints and appeals are responded to promptly, with minimum distress and maximum protection to all parties
- To ethical and responsible management, and a visible, accessible and fair complaints and appeals process
- Viewing the complaints and appeals process as an opportunity to review and improve policies and practices at The MTA Group Training Scheme Inc. to form part of our continuous improvement cycle
- Adopting an ethical and professional approach, whilst respecting privacy and confidentiality where possible

3. Definitions

Competent: The consistent application of knowledge and skill to the standard of performance required in the workplace.

Competency-Based Assessment: is the process of gathering evidence and making judgments about whether competency has been achieved against performance criteria and critical evidence requirements specified within the Units of Competence within Training Packages.

Complaint: A grievance, resentment, or displeasure about a decision, service or product

Confidentiality: The process of ensuring the privacy of both parties involved in the complaint is protected as much as is legally possible. **Defamation:** the making of false statements about another person or organisation which in turn could damage their reputation. This could be verbal or written.

GTO: Group Training Organisation

Mediator: A person employed to assist parties in their dispute whilst staying impartial to all parties. **National Standards for Group Training Organisations 2017:** minimum standards for the group training sector to ensure consistent, high quality services for apprentices, trainees and host employers

Natural Justice: Principles, procedures, or treatment felt instinctively to be morally right and fair

Document Number	A - 0001	Created Date:	05/03/2021
Document Name	Complaints and Appeals Policy and Procedure - RTO	Last Modified Date:	15/11/2023
Version No.	2.0	Last Reviewed:::	15/11/2023

Not Competent (NC): Signifies the person being assessed has not yet demonstrated competence against one or more of the requirements detailed in the unit/s of competence. The person must have attempted or been provided with the opportunity to complete ALL of the assessment tasks for the unit to be deemed “NC”.

Re-assessment: Refers to providing the student with another attempt at demonstrating competence.

RPL: Recognition of Prior Learning

Stakeholders: a person with an interest in an organisation

Standards for RTOs 2015: means the regulatory standards for training providers as set by The Council of Australian Governments’ (COAG) Industry and Skills Council for endorsing vocational education and training (VET) standards.

Third-Party Partners: means a provider that has a memorandum of understanding with The MTA Group Training Scheme Inc. to deliver training and/or assessment services on the MTA Group Training Scheme Inc.’s behalf.

4. Policy Principles

A complaints and appeals framework has been implemented by the MTA Group Training Scheme Inc. that ensures:

- 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 MTA Group Training Scheme Inc., or anyone who has allegations made against them, to a right of reply before a decision is made
- The decision maker in the process is independent of the decision being reviewed
- Each complainant 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 MTA Group Training Scheme Inc.’s Record Management Policy and the Australian Privacy Principles
- All complaints, appeals and outcomes are documented in the Complaints and Appeals Register, with outcomes used to inform continuous improvements 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 MTA Group Training Scheme Inc.
- Appeals of assessment outcomes are to be lodged within 28 days of when the assessment outcome is informed to the learner
- Investigations into academic misconduct will be handled in accordance with the complaints and appeals procedure and will follow the principles of natural justice and procedural fairness

<i>Document Number</i>	A - 0001	<i>Created Date:</i>	05/03/2021
<i>Document Name</i>	Complaints and Appeals Policy and Procedure - RTO	<i>Last Modified Date:</i>	15/11/2023
<i>Version No.</i>	2.0	<i>Last Reviewed::</i>	15/11/2023

5. Responsibilities

All parties involved in a complaint or appeal have the responsibility to ensure they abide by the following:

Students, Employees, Stakeholders:

- Be familiar with the Complaints and Appeals Policy
- Only make genuine and accurate complaints or appeals
- Provide formal complaints in writing using the appropriate form

MTA Group Training Scheme Inc. staff:

- Ensure confidentiality
- Act within the constraints of legal obligations to disclose any information
- Ensure as much as practicable that no victimisation of complainants, witnesses, or any other parties involved in the complaints and appeals process

MTA Group Training Scheme Inc. Management (in addition to staff):

- Ensure accessibility of the policy and procedure to all staff, students and stakeholders
- To treat all complaints seriously and investigate as required
- To follow the principles of natural justice
- To ensure feedback mechanisms are available to all
- Handle complaints in a respectful manner, stating objective, collect facts and ensure confidentiality of all parties
- Refer the complaint to the CEO if the complaint cannot be resolved at this level

CEO:

- Provide staff with the opportunities for necessary training in regards to handling complaints and appeals within organisational processes
- Respond to any complaint that cannot be handled by MTA Group Training Scheme Inc. management
- Refer complainants to relevant governing bodies and third parties as required

6. Procedure - Informal

It is expected that prior to initiating a formal complaint and/ or appeal process, the parties involved will attempt to resolve concerns directly wherever possible. All parties should participate in good faith in resolving concerns so that the MTA Group Training Scheme Inc. maintains a respectful workplace and learning environment.

Students, employees, third-party partners and stakeholders are encouraged to raise concerns directly with their trainer, manager or person representing the MTA Group Training Scheme Inc., particularly where the concerns are adversely affecting the workplace or learning environment.

RTO clients – Raise the matter by talking to your trainer in the first instance or the appropriate administration staff member

Document Number	A - 0001	Created Date:	05/03/2021
Document Name	Complaints and Appeals Policy and Procedure - RTO	Last Modified Date:	15/11/2023
Version No.	2.0	Last Reviewed:::	15/11/2023

GTO clients – Raise the matter by talking to your allocated field officer or the General Manager Apprentice Employment Services

External Stakeholders – Raise the matter by talking to appropriate MTA Group Training Scheme Inc. staff member

Finance/ Accounts – Raise the matter by talking to the Finance and Procurement Manager,

If the complaint is directed towards a third-party partner of the MTA Group Training Scheme Inc., we encourage our clients to lodge a complaint through the MTA Group Training Scheme Inc.’s complaint procedure.

The Management Team meet weekly, where a standing item on the agenda is to discuss any formal or informal complaints. All informal and formal complaints are recorded on the MTA complaints tracker. This feeds into the MTA’s Continuous Improvement processed.

General feedback about The MTA Group Training Scheme Inc. and our services can be sent via email to mta@mtasant.com.au

7. Procedure - Formal

Stage 1 – Lodging a formal complaint or appeal

Where the parties involved are unable to successfully resolve the concern directly, then a formal complaint or appeal may be lodged with the MTA Group Training Scheme Inc. using the Complaints and Appeals Form. 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
- Reasons outlining the escalation to a formal process
- If the complaint relates to another party, that party’s full name and position

The MTA Group Training Scheme Inc. acknowledges receipt of all complaints and appeals in writing within five business days, recording it on the Complaints and Appeals Register. Where the MTA Group Training Scheme Inc. considers more than 60 calendar days are required to process and finalise the complaint or appeal, The MTA Group Training Scheme Inc. will inform the complainant in writing, outlining the reasons why.

Stage 2 – Investigation of formal complaint or appeal

The complaint will be investigated thoroughly and the complainant may be contacted for further information if required. The MTA Group Training Scheme Inc. will endeavour to seek information from all parties listed in the complaint in a timely manner. If a complaint cannot be investigated by the MTA Group Training Scheme Inc. (for whatever reason), the MTA Group Training Scheme Inc. will inform the complainant at this point and refer them to the most appropriate body.

Stage 3 – Determination of outcome

Where the MTA Group Training Scheme Inc. determines it has the capacity to make a decision in the complaint, the MTA Group Training Scheme Inc. will inform the complainant of the outcome in writing within 60 days. Decisions or outcomes of the complaint or appeals process that resolve the

<i>Document Number</i>	A - 0001	<i>Created Date:</i>	05/03/2021
<i>Document Name</i>	Complaints and Appeals Policy and Procedure - RTO	<i>Last Modified Date:</i>	15/11/2023
<i>Version No.</i>	2.0	<i>Last Reviewed.:</i>	15/11/2023

complaint or appeal and find in the favour of the party are implemented immediately and are recorded in the complaints and appeals register.

Where the MTA Group Training Scheme Inc. is unable to make a determination or the complainant is dissatisfied with the outcome, the complainant 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.

Stage 4 - Internal Review of Determination

Requests for appeal or review of decisions are referred to the appropriate MTA Group Training Scheme Inc. Manager, who will identify and assign an internal review officer within the MTA Group Training Scheme Inc., but independent of the decision. The MTA Group Training Scheme Inc. will acknowledge receipt of the request for internal review in writing, outlining the anticipated review period and the designated review officer.

The review officer will make a determination and advise the complainant of the decision or outcome in writing. Decisions or outcomes of appeal or review process that find in the favour of the complainant are implemented immediately and are recorded in the complaints and appeals register.

Stage 5 – Independent Third Party Review of Determination

Where the complainant 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 and must be lodged within 28 days. Requests for appeal or review of decisions are referred to an independent third party or external mediator, determined by the CEO.

The MTA Group Training Scheme Inc. will acknowledge receipt of the request for independent third party review in writing, outlining the anticipated review period and the independent review officer. At this stage, the MTA Group Training Scheme Inc. will disclose all costs associated with the third party review, as all parties may be liable for costs. This is not a free service.

The independent review officer will make a determination and inform the MTA Group Training Scheme Inc. who will advise the complainant in writing. Decisions or outcomes of the appeal or review process that find in the favour of the appellant are implemented immediately and are recorded in the complaints and appeals register.

At this stage, there is no further basis for a complaint or appeal to be heard. ASQA is not able to act as the independent third party for reviewing complaints.

8. Supporting Organisations

The following organisations may be able to assist you further in your complaint if you are not satisfied by the MTA’s final determination:

- Department of Innovation and Skills - : www.skills.sa.gov.au/
- Australia Skills Quality Authority (ASQA) - www.asqa.gov.au/
- South Australian Skills Commission – <https://skillscommission.sa.gov.au/>
- National Training Complaints Hotline – <https://www.dewr.gov.au/national-training-complaints-hotline>
- Office of the Australian Information Commissioner (OIA) – www.oaic.gov.au

Document Number	A - 0001	Created Date:	05/03/2021
Document Name	Complaints and Appeals Policy and Procedure - RTO	Last Modified Date:	15/11/2023
Version No.	2.0	Last Reviewed::	15/11/2023