



Complaints & Appeals Policy

Complaints & Appeals

Feedback, Enquiries, Appeals and Complaints

Current, former and prospective students may provide feedback, lodge a complaint or appeal about aspects of their experience or engagement with Elevare Training Group (the RTO) or the outcome of their assessment(s). General feedback and enquiries should be provided to the RTO via email by emailing info@elevaretraining.com.au.

Matters and concerns where a formal response is requested or expected, may be raised in the form of:

- an enquiry or feedback relating to a decision, action, process or service provided;
- an appeal of the outcome of a student assessment or results;
- a complaint, advising dissatisfaction with:
 - a decision, action or failure to act
 - a delay in providing a service or taking action
- the behaviour or conduct of the RTO, its trainers, assessors or other staff, a third party providing services on the RTO's behalf or a student of the RTO.

Procedural Fairness

- Complaints and appeals will be handled fairly and without bias.
- All parties involved in a formal complaint or appeal will be informed of the substance of any allegations made against them.
- All parties will have the opportunity to be heard and respond before a decision is made.
- A decision-maker will be independent of the decision being reviewed.
- Complaint and appeal outcomes will be clearly communicated, including any available avenues for further review.
- Complaints and appeals will be addressed without undue delay, and parties will be regularly updated on progress.

Lodging a Complaint

- Complaints are submitted to the admin team via email (info@elevaretraining.com.au). Complaints submitted via other channels may be accepted under exceptional circumstances.
- Complainants must provide:
 - full name, contact details and ID (where applicable)
 - a comprehensive description of the complaint
 - the outcome sought
- all relevant information and documentation to support the complainant's claims
- On submission via email, the complainant receives a reply acknowledging receipt of the complaint by the RTO.
- A complaint can be withdrawn at any time, but the RTO may decide to initiate or continue the investigation.

Timelines

Complaints must be submitted within 12 months of the event or incident. The RTO may allow submission beyond this timeframe in exceptional circumstances assessed on a case-by-case basis.

An investigation will commence within 10 working days of lodgement.

Complaint resolution and outcome advice for both a complaint and an appeal will generally be provided within 20 working days from the date that the complainant provided all the information necessary to handle the complaint. Every effort will be made to resolve matters as quickly and efficiently as possible, however a longer period may be required if the complaint is unusually complex.

Where a case manager or the CEO deems a complaint to be unusually complex and therefore considers it will exceed the 20 working day resolution timeframe, the complainant is provided with prompt written notification of this assessment including reasons.

Over the course of a complaint investigation, a case manager or the CEO must provide the complainant with regular updates on the progress of their complaint with no more than 10 working days between updates.

If a complaint is expected to take more than 40 working days to resolve, the case manager or CEO must inform the complainant in their regular progress updates including the reasons for the delay and, where practicable, an estimated timeframe for resolution.

Outcome Notification

Case managers or the CEO will provide complainants/appellants with written outcomes that will:

- be timely
- acknowledge the points raised by the complainant/appellant and the evidence submitted
- provide the decision and reasons for the outcome
- advise that the complainant/appellant may seek a review of the decision in accordance with the grounds of review.

The case manager/CEO is responsible for finalising and closing the complaint record.

Where appropriate, potential outcomes may include, but are not limited to:

- amending or reversing a decision or action at the centre of a complaint or appeal
- acknowledging an error and apologising
- providing an explanation for a decision or action
- waiving fees or making payments where appropriate
- closure of the complaint/appeal

The RTO will then:

- implement the decision and/or take the preventative or corrective action as required by a complaint outcome
- consider implementing or adopting recommended actions within a complaint outcome

Complaints About Student or Staff Misconduct

Where a complainant alleges misconduct by a staff member or student, the RTO may initiate staff or student misconduct action concurrently with case management of the complaint.

In certain circumstances the RTO is required to report the matter, irrespective of whether the complaint has been withdrawn, to external authorities such as:

- the police, in the case of criminal matters
- the Commission for Children and Young People
- another government agency, in accordance with their requirements.

Students may notify external agencies of conduct about which they have complained to the RTO. Where such a matter has been reported, the RTO will maintain its commitment to complaint resolution.

Support for Complainants and Respondents

Parties to a complaint are permitted an advocate and/or support person. An advocate or a support person:

- is chosen by the complainant or respondent
- cannot be anybody involved with the complaint or the resolution of the complaint and is often a partner, friend, family member, or health professional
- must not be a legal practitioner
- has a right to attend a meeting however conflicts in availability cannot unreasonably delay the complaint resolution process.

If a complainant or respondent is under the age of 18, they must be accompanied at any meeting arranged during the management of a complaint by a parent, guardian or Caregiver who is responsible for their interaction with the RTO.

Confidentiality and Privacy

All parties to a complaint must respect the confidentiality of the complaint and must not discuss the details with anyone other than their support person or advocate while the complaint is being investigated.

Authorisation to disclose or distribute information to other parties may be required by the RTO.

Advocates and support persons are bound by the same confidentiality as parties to the complaint.

Limitations apply to confidentiality and privacy where risks to health and safety are present, or in matters involving persons under 18 years of age.

Actions imposed or introduced as an outcome of a complaint may be shared with the complainant and respondent, but any disclosure must be balanced against preserving the privacy of others.

The RTO will not unnecessarily disclose the identity of the complainant or witnesses to the respondent where this may constitute a risk to safety.

Complaint Outcome Review

Complainants may seek a review of an outcome where they either:

- provide evidence of an error in the investigation and decision
- provide evidence that was not previously available, and which would have been a significant factor in deciding the outcome
- present a compelling argument that the outcome is unreasonable. Unreasonableness may include but is not limited to the following considerations:
 - relevance of information taken into account,
 - comprehensiveness, or consideration of all evidence provided,
 - justification, or provision of reasons for conclusions reached,
 - timeliness in the handling of the complaint and its impact on the complainant,
 - consistency with standards and values of the RTO, and
 - proportionality, or the reasonableness of the outcome given the complainant's circumstances.

Requests for a review of an outcome must:

- be submitted in writing via email to info@elevaretraining.com.au no later than 20 working days from the date the outcome was sent
- address and provide evidence to support the grounds for review.

Requests for a review of an outcome made later than 20 working days after the outcome was sent are only be accepted in exceptional circumstances that are evidenced by supporting documentation.

The outcome review is conducted by the CEO.

A review is only undertaken where grounds have been established; otherwise, no review will be actioned.

Complainants can anticipate the provision of an outcome review within 20 working days from the date of submission. Every effort will be made to resolve matters as quickly and efficiently as possible, however a longer period may be required if the review contains evidence that was not previously available.

Where a review outcome cannot be provided within the timeframes identified, the CEO provides the complainant with:

- regular updates on the progress of the review (with no more than 10 working days between contacts), and
- prompt written notification, including reasons, where the outcome review is expected to take more than 40 working days to resolve.

Where grounds have not been established, the complainant can anticipate notification of this decision within 10 working days from the date the request was received.

Timely review outcomes are communicated in writing by the CEO and include:

- acknowledgement of points raised by the complainant and the evidence provided
- the decision and reasons for review outcome
- advice that the complainant can seek further review of the decision by the [Queensland Ombudsman](#) or other external review agency where they are dissatisfied with a review outcome
- notification to the relevant areas of any actions, as required.

The CEO is responsible for finalising and closing the complaint review record.

Review decisions and actions are implemented within the RTO where a review outcome is in favour of the complainant.

External Review

At the end of internal review opportunities, the matter is considered closed by the RTO.

Complainants may seek an external review of the complaint by the [Queensland Ombudsman](#) or other external review agency as appropriate.

Appeals Outcome Review

The student assessment outcome will be reviewed by another trainer and the results will be detailed on the student file and communicated to the student. If the student does not agree with the outcome of this process, the assessment item will be reviewed by the Director and where necessary a panel will be formed of no less than three qualified staff to review the appeal and assessment.

The student will be notified of the panel outcome in writing.

In cases where the student is not satisfied with the outcome, they should be advised of their right to contact ASQA and lodge a complaint directly.