# Complaints and Appeals Policy and Procedures

**Overview**

breakthru College ensures that all complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively. Complaints refer to dissatisfaction expressed by stakeholders, which can include learners, trainers/assessors, and other stakeholders (e.g. workplace supervisor).

The complaint policy and procedures aim to manage and respond to allegations involving the conduct of breakthru College, its staff members (inclusive of teaching and non-teaching staff), third parties (if any) and also the learners. Appeals, on the other hand, are a request to reconsider the decision made, which can include enrolment decision, assessment decision and any other decisions made by the third parties engaged by Breakthru College (if any). Grounds for appeal may include but not limited to:

* Administrative inadequacies (e.g. inaccuracy in recording progress)
* Inadequate resources (e.g. physical resources or inexperienced/unqualified staff members)
* Shortcomings in the conduct of assessment (e.g. alternative assessment methods were not available)
* Assessment requirements specified by the assessor were unreasonably or prejudicially conducted
* Barriers to access (e.g. unreasonable requirements as pre-condition to assessment)

Complaints and appeals may be made in regard to (include but not limited to) enrolment process, facilities and resources, training, staff, assessment results, progress, discrimination, harassment and bullying, fees and refunds, other learners, and third parties engaged by breakthru College (if any).

In handling the complaints and appeals, the principles of natural justice and procedural fairness are adopted whereby all relevant parties involved, including person/s whom the allegations were made against, are given the opportunity to tell their side of story before a decision is reached. Currently, the appointed consumer protection officers at breakthru College are as follows:

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| **Name**  | **Email Address**  | **Phone**  |
| Isabelle Durkin  | Isabelle.durkin@breakthru.org.au  | 0490 857 376 |
| Rio Wijaya | Rio.wijaya@breakthru.org.au  | 0438 434 872 |

Our complaints and appeals policy and procedures are made publicly available such on the website, Learner Handbook. This practice aims to meet the requirements as outlined in Clauses 6.1-6.6 of RTO Standards 2015.

**Procedures**

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| **Complaints and Appeals**  | **Responsible Person** |
| 1. Advise the complainant or appellant to discuss and resolve the matter informally.  | National Training Manager & Compliance Manager |
| 2. If the above is unsuccessful, request the complainant or appellant to complete the Complaints and Appeals Form. Call 1800 767 212 if assistance is required.  |
| 3. Send the completed form to training@breakthru.org.au  |
| 4. Acknowledge the receipt of complaint / appeal in writing within 7 calendar days.  |
| 5. Conduct an initial investigation including the collection of information and evidence from all relevant parties. Arrange a meeting using appropriate methods (e.g. Zoom, Teams or phone) if required. All parties are given the opportunity to tell their side of story.  |
| 6. Record the outcomes of initial investigation in Complaints and Appeals Form  |
| 7. Determine the decision within 60 calendar days.  |
| 8. In the event that more than 60 days are required to finalise the complaint / appeal particularly when the matter is overly complex, Breakthru College will: * Inform the complainant / appellant in writing outlining reasons why such timeframe is required
* Ensure that complainant / appellant is informed on a fortnightly basis on the progress of the matter.
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| 9. Advise the learner of the complaint / appeal outcome in writing outlining the reasons for the decision |
| 10. Advise the complainant / appellant of the right to appeal the outcome within 14 calendar days from the receipt of the decision  |
| 11. Advise the complainant / appellant of their right to request a third party (independent from all parties) to review the outcome/s if required.  |
| 12. If the complainant / appellant is satisfied with the outcome, the matter will be deemed as resolved and all records are secured in Axcelerate.  |
| 13. Record any opportunity for improvement and act upon the recommendation/s to eliminate or mitigate the likelihood of the issue to occur in the future.  |

In the first instance, complaint or appeal should be lodged to Breakthru College. If there is dissatisfaction to the decision made, complaint or appeal can be lodged to an external party.

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| **Name**  | **Contact Number**  | **Website**  | **Jurisdiction**  |
| National Training Complaints Hotline  | 13 3873  | <https://www.dese.gov.au/national-training-complaints-hotline>  | National  |
| NSW Ombudsman  | 1800 451 524 | <https://www.ombo.nsw.gov.au/contact-us>  | NSW  |
| QLD Training Ombudsman  | 1800 773 048  | <https://trainingombudsman.qld.gov.au/>  | QLD |
| Smart and Skilled (*only for NSW funded learners)* | 1300 772 104  | <https://education.nsw.gov.au/skills-nsw/contact-us>  | NSW |
| Queensland VET Investment Plan *(only for QLD funded learners)* | 13 74 68  | <https://desbt.qld.gov.au/contact-us>  | QLD  |

**Related Documentation**

* Complaints and Appeals Form