

# Complaints and Appeals

## Complaints and Appeals Policy

LogiKal Training is committed to ensuring that all complaints and appeals are dealt in accordance with procedural fairness and the causes are addressed and rectified properly.

LogiKal Training will respond to any and all complaints in a fair, constructive and timely manner. The complainant has the right for their complaint to be heard and for an impartial decision to be made at no cost to themselves. Complainants have the right to appeal a decision.

This policy supports LogiKal Training to provide to students, a process for complaints and appeals to be heard and actioned. All complaints and appeals received will be viewed as an opportunity for improvement.

LogiKal Training will manage and respond to allegations involving the conduct of:

- the RTO, its trainers, assessors or other staff
- a third party providing services on the RTO's behalf, its trainers, assessors or other staff
- a student enrolled with LogiKal

## Types of Complaints or Appeals

A complaint or appeal may include, but is not limited to:

### Complaints

- Course advice and enrolment
- Suspension and/or cancellation of enrolment
- Program delivery
- Marketing and promotional activity
- Personal safety
- Customer service and administration
- Issue of results, certificates, statement of attainment
- Learning resources
- Fees and charges
- Equity and access, discrimination, harassment and bullying

### Appeals

- Assessment process and decision
- Learner progress and academic progress decisions
- Appeals against the outcome of a formal complaint

## Complaints Procedure

Students may choose to submit a complaint to LogiKal Training staff via an Informal Process or Formal Process. Complaint and Appeal forms can be obtained from LogiKal Training staff or accessed from the website. Completed forms can be submitted directly to a LogiKal Training staff member or emailed to the CEO at [bbairstow@logikalprojects.com.au](mailto:bbairstow@logikalprojects.com.au)

### Informal Process

- Students may submit details of their complaint, in writing directly to the LogiKal Training staff with the purpose to resolve a complaint through discussion and through mutual agreement.
- Staff are required to explain to the student the informal and formal and complaints processes available to them.
- Students may be accompanied by a third party of their choice to support them in the informal process discussion.
- All informal complaints, when finalised, shall be reviewed by the Training Manager for further action if required and consideration for potential continuous improvement opportunities.
- All informal complaints that are not resolved by mutual agreement with the Training Manager will require progressions to the formal complaints process.

## Formal Process

- When a student wishes to submit a formal complaint or is dissatisfied with the attempt to resolve a complaint informally (directly with staff) the student may submit a formal complaint to the CEO utilising the Complaint Record document, available from staff or the website.
- The CEO will respond in writing, acknowledging receipt of the complaint, within 3 days of receipt of a Complaint Record document.
- Where a complaint refers to an individual, the individual will be informed by the CEO of the complaint and will be invited to respond to the allegation either through discussion, or (written) correspondence.
- Any discussion held with the CEO regarding the complaint must be minuted and these minutes kept on file along with details of the original complaint.
- Complainants have the right to access advice and support from independent external agencies and/or persons at any point of the complaint and appeals process. Use of external services will be at the complainant's cost.
- When a complaint is recognised as requiring more than 60 calendar days to resolve, the CEO must inform the complainant in writing, including reasons why more than 60 calendar days are required; and regularly update the complainant on the progress of the matter.
- The CEO shall respond to formal complaints in writing proposing a resolution to the complaint. If agreement is made to the proposed resolution, the CEO will:
  - Provide the Complainant with written confirmation of the resolution
  - Record the action(s) taken to resolve the complaint on the Complaint Record form
  - Where applicable communicate the outcome of the complaint resolution to the relevant Logikal Training staff member
  - If applicable, document the need for amendment to policy and/or procedure documentation on the Complaint Record form and Continuous Improvement Register
- The CEO response to the complainant shall include information and procedures concerning the complainant's right to appeal the proposed solution and request for an independent adjudicator.
- All formal complaints when finalised shall be forwarded to the Training Manager for further review and consideration for potential continuous improvement actions.

## Complaint External Appeals

- In the event of a complainant advising that they are dissatisfied with the proposed solution to a formal complaint, the CEO shall provide an additional opportunity to provide a solution and shall apply the External Dispute Resolution process.
- The CEO shall advise the learner that an Independent Third Party shall be sought to consider the nature of the complaint and a possible further resolution at no cost to the learner.
- The body appointed by Logikal Training for the purpose of external dispute resolution is:
  - Professional Dispute Resolution Centre
  - Level 27, 197 St Georges Tce
  - Perth WA 6000
  - Phone: +61 8 9486 4952
  - <http://www.pdrc.com.au>
- The CEO shall make contact with the Independent Third Party and provide all documentation related to the formal complaint and learner contact details.
- All Independent Third Party proposed solutions shall be final and be reported to the CEO and the student in writing and will require immediate implementation by both parties.
- A Complainant may also choose to seek legal advice or place a complaint about Logikal Training to ASQA directly by completing the complaint form:  
<https://www.asqa.gov.au/complaints/getting-started-making-complaint-about-training-provider>

## Assessment Result Appeals

Students are supported in their right to formally appeal the outcome of any assessment decision. Staff delivering training and assessment services on behalf of LogiKal Training will be required to:

- Provide timely guidance to all course participants regarding the assessment appeals procedure
- During and following assessment activity, clarify any aspects of the assessment results that a student does not understand
- Provide each student that requests an assessment appeal with an Assessment Appeal Form

Students wishing to appeal an assessment judgement will be advised of the following procedure:

### Step 1. Trainer Review

- The student must contact their Assessor within 21 days of the assessment outcome to discuss their assessment result and why they believe that the Assessor's judgement is incorrect, showing evidence of how they have addressed the assessment criteria.
- The assessor will consider the student's case and determine whether they uphold their original decision or in light of their discussions wish to alter the assessment judgement.
- Where the Assessor wishes to alter the original judgement, the Assessor will put a request forward to the Training Manager in writing, outlining the details of the changes to the students' assessment results and reason for the change in assessment result.
- The Training Manager will review the Assessor's reasoning and assessment evidence against the required benchmarks and either overturn or uphold the original decision.
- This process will be completed within 10 days.
- Where the Assessor/Training Manager upholds the original assessment decision, the learner then has an opportunity to put in a formal written request, outlined in Step 2 below.

### Step 2 Formal Written Request

Where the student is unhappy with the outcome at step one, they can follow the formal appeal process outlined below:

- All formal appeals should be submitted to the CEO in writing within 3 months of the original assessment decision, using the Assessment Appeal Form which can be obtained from a LogiKal staff member or accessed from the website. This will constitute a formal appeal from the student. This should only happen once step one has been completed and where the student is unhappy with the outcome of this step.
- The CEO will initiate a transparent, participative process to deal with the issues at hand.
- Upon receipt of an Assessment Appeal Form, the CEO will seek details from the Assessor involved and any other relevant parties.
- Formal Appeals are to be responded to within 10 working days of the initial application.
- The outcome decision made to uphold or overturn an assessment appeal will be communicated to the student by completing the Assessment Appeal Form clearly identifying the reason for the outcome.
- If the student is not satisfied with the outcome, they may contact the CEO to discuss their concerns.

### Step 3 Independent Review Request

Where the student is dissatisfied with the outcome at step two, they can follow the formal appeal process outlined below:

- If the student is not satisfied with the result, LogiKal Training will arrange for an independent qualified trainer or RTO to reassess an unmarked copy of the assessment.
- LogiKal Training will aim to complete this appeal process as quickly as possible and within 60 days. LogiKal Training will keep the student informed of the progress of the appeal throughout the process.

## Complaints and Appeals Records

The Training Manager shall maintain records of all complaints and appeals and their outcomes identifying potential causes of complaints and take appropriate corrective actions to eliminate or mitigate the likelihood of recurrence.

Records of all informal, formal complaints and appeals and all written student complaints records will be store in the Training Share Drive\_Compliance / Complaints and Appeals / Student Complaints and Appeals Records and in the student file with LogiKal student management system.