

COMPLAINTS AND APPEALS

POLICY

PURPOSE

The purpose of this policy is to outline AUSTSWIM's approach to managing feedback, complaints and appeals. It provides a transparent approach for complaints and appeals to be addressed in a fair, efficient and confidential manner. This policy includes academic complaints and appeals as well as licence and accreditation matters. It also entails the storage, collection and action taken in a systemic manner for complaints and appeals.

Please note: For all complaints relating to AUSTSWIM Teachers and the AUSTSWIM Teacher Code of Conduct, please see the AUSTSWIM Code of Conduct and the AUSTSWIM Code of Conduct Disciplinary Process.

RESPONSIBILITIES

AUSTSWIM's CEO is firstly responsible to ensure that all areas of its operations are regularly reviewed and its record keeping system is constantly managed and monitored. The CEO has the delegated responsibility for the management and compliance of this policy and procedure. This policy is relevant to AUSTSWIM employees, contractors, presenters, candidates and third-party providers, council and board members, employers (if applicable).

TERMS AND DEFINITIONS

- **Complainant** person who lodges a complaint.
- **Complaint** statement by a person [complainant] expressing disagreement or dissatisfaction with AUSTSWIM or any of its employees / contractors, where the person requires action or response.

A Complaint may include and is not limited to:

- Program / course advice or enrolment.
- Suspension and / or cancellation of enrolment.
- Program delivery / quality of Program delivery.
- Marketing and promotional activity.
- Personal safety.
- Customer Service and administration.
- Issue of results, accreditation, certificates, statements of attainment.
- Learning resources.

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- Fees, charges and or refunds.
- Equity and access, discrimination, harassment and bullying.
- Assessments or assessment outcomes / competency assessments including RPL.
- Other activities associated with the delivery, training and assessment services.
- A Third-Party providing services on AUSTSWIM’s behalf including its presenters, assessors or other staff.
- Presenter / assessor / other staff and candidates.
- **Appellant** person who lodges an appeal.
- **Appeal** formal statement by a person [appellant] expressing disagreement or dissatisfaction with AUSTSWIM services. An Appeal may include:
 - Academic Appeal
 - Non-academic Appeal.
- **Services** means training, assessment, related educational and support services and / or activities related to the recruitment of prospective learners. It does not include services such as candidate counselling, mediation or ICT support.
- **Complaint Outcome Appeal** formal statement by a person [appellant] expressing disagreement or dissatisfaction with the AUSTSWIM complaint outcome.
- **Candidate** includes a person enrolled or will be enrolled in an AUSTSWIM course.

OVERVIEW

AUSTSWIM will ensure:

- Complaints and appeals procedures and processes are easily accessible and understandable.
- Timely and fair consideration of all complaints and appeals with a view to facilitating fair solutions.
- Complaint, or appeal and its outcome is recorded in writing.
- All complaints and appeals are treated seriously, investigated thoroughly, and dealt with according to the merit of the complaint or issue.
- If complaints or appeals cannot be resolved internally, they will be referred to an independent arbiter.
- Clear communication with complainants and appellants about the status of an investigation.
- Complainants and appellants are informed promptly of decisions and reasons for decisions.
- The complaint and or appeal is received directly from the affected individual and not a third party.
- Information received, collected and communicated is kept secured and complies with the requirements of AUSTSWIM’s Privacy Policy and the Australian Privacy Principles as per the

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Privacy Amendment (Enhancing Privacy Protection) Act 2012.

STATEMENT OF COMMITMENT

AUSTSWIM is committed to providing a high level of customer service that effectively addresses complaints of candidates, clients, staff, third party providers, contractors, presenters, assessors and other members of the community. AUSTSWIM will resolve all candidates' complaints in a timely manner. Our complaints and appeals processes reaffirm our commitment to our corporate values of being constructive, accountable, transparent and effective. All complaints are investigated thoroughly in accordance with company policies and the principles of natural justice. All complaints will be handled professionally and confidentially in order to achieve a satisfactory resolution. An independent arbiter may be engaged if required.

REFERENCES AND KEY DOCUMENTS

Related Legislation and Publications and Key Documents

- Complaints and Appeals Policy
- Privacy Policy
- Candidate Feedback Grievance Form - online: www.austswim.com.au
- Complaints and Appeals Register
- Continuous Improvement Register
- CLAUSE 6.1-6.6: Standards for Registered Training Organisations (RTO's) 2015
- AUSTSWIM Code of Conduct
- AUSTSWIM Teachers Code of Conduct
- AUSTSWIM Teacher Code of Conduct Disciplinary Process
- AUSTSWIM Staff Handbook
- Complaints and Appeals Procedure

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