

Complaints and Appeals

1.1 Objectives of this policy

- To set out the Company's commitment to resolving complaints in a fair, constructive and timely manner
- To provide a clear and comprehensive Complaints and Appeals procedure to ensure all students, clients, employees and other stakeholders are aware of the steps to take to have their dissatisfaction addressed appropriately
- This policy provides an avenue for students to make complaints and appeals and have them dealt with impartially at no cost to themselves
- This policy is publically available

1.2 Definitions

Complaint – an informal or formal expression of dissatisfaction in regard to any aspect of the conduct of services, training, trainers, assessors or other staff, including third party providers, of Coal Train.

Appeal – a request to review a decision, typically an assessment, made or assessed by Coal Train trainers, assessors, third party service providers and other Staff

Complainant – The person who has lodged a complaint or appeal with Coal Train

1.3 Scope

Coal Train has developed this Complaints and Appeals procedure and process to:

- Ensure an effective, timely, fair and equitable complaints system that is accessible and available to complainants at no charge
- Ensure that any complaints and appeals are resolved promptly and objectively
- Ensure that there is a consistent response to complaints and appeals
- Ensure that the views of the complainant is respected and that any party to the complaint is not discriminated against or victimised
- All formal complaints and appeals will be recorded on the Complaints and Appeals Form
- Ensure that all stakeholders have a clear understanding of the steps involved in the procedure

1.4 Procedure

Complaints and appeals may be made in relation to any of Coal Train's services, activities and decisions.

A complaint may include, but is not limited to:

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

An appeal may include but is not limited to:

- Assessment process and decisions

1.4.1 *Informal resolution of issues*

Students and clients are encouraged to resolve concerns or difficulties directly with the relevant trainer or other staff member or by contacting Coal Train's CEO, who will consider the issue and recommend a resolution before it becomes a formal complaint.

If the issue is resolved to the complainant's satisfaction in the first instance the actions shall be recorded in and closed out by way of the Continuous Improvements Register. All relevant staff will be informed of the complaint.

1.4.2 *Formally lodging a complaint / appeal*

If an issue is not resolved to the complainant's satisfaction during the informal process, then the complainant will be advised to register a formal complaint using an official Complaints and Appeals form which will be submitted to Coal Train CEO for a full internal review.

All formal complaints will be acknowledged by the Executive Manager, in writing, directly to the complainant and/or person initiating the appeal. Written acknowledgement will be returned within 24 hours of having received the complaint or appeal. All assessment appeals must be submitted within 10 business days of the assessment date.

In reviewing the complaint or appeal, the CEO will:

- Address the complaint / appeal as quickly as possible
- Ensure the complainant has the opportunity to discuss the complaint / appeal with the CEO
- Review the complaint / appeal and present all decisions, including reasons for the decision, in writing to the complainant

Should the complaint or appeal remain unresolved following the formal review by the CEO, the complainant has the right to lodge a complaint externally with an appropriate external agency such as the ones below:

- [ASQA \(Australian Skills Quality Authority\)](#)
- [The National Training Complaints Hotline](#)

1.4.3 *Confidentiality and documentation*

No student, staff member, stakeholder or member of the public will be disenfranchised in any way during the complaints / appeals and resolution process. A student's progress through a course will not be disrupted whilst a complaint is being heard unless the nature of the issue itself means further progress is not possible.

Strict confidentiality will be observed through all stages of the resolution process and all communications and proceedings arising will remain confidential at the conclusion of the complaints / appeals resolution process.

Complainants have the right to nominate a third party representative (support person) if they require. The representative may be a professional representative, counsellor, family member, friend or any other such person that the complainant chooses.

All documentation handled under this policy and procedure and their outcomes shall be maintained for a period of at least five (5) years to allow all parties appropriate access to these records.

1.4.4 *Resolution Timeframe*

Coal Train will respond to all formal complaints and appeals within 20 days of the complaint or appeal being lodged. However, if the matter is escalated to an external agency, the resolution may take longer. If it is expected that more than 60 days will be required to process and finalise the complaint or appeal, Coal Train will:

- Inform the complainant or appellant in writing explaining the reason why the process will take in excess of 60 days
- Regularly update the complainant or appellant on the progress of the complaint / appeal

1.4.5 *Mitigating the likelihood of reoccurrence*

All issues, regardless of being informal or formal will be registered in Coal Trains Continuous Improvements register and subsequently, the potential causes of the complaints and appeals will be identified. Corrective and preventative actions will be implemented to eliminate or mitigate the likelihood of reoccurrence. This includes any change to processes and procedures to avoid similar complaints and or appeals arising in future.