

## **AP026 Complaints and Appeals Procedure**

### **Purpose**

This procedure describes the process by which GWPT will manage and respond to complaints and appeals.

### **GWPT commitment to ethical complaint and appeal handling**

GWPT is committed to:

- Responding promptly to complaints or appeals within an environment that minimises distress and maximises protection for all parties involved.
- Engaging in ethical and responsible management, maintaining a visible, accessible, and fair handling process for complaints or appeals, with the aim of achieving mutually acceptable and fair outcomes.
- Identifies clear and reasonable timeframes for the acknowledgement, investigation, and resolution of complaints, and outlines appropriate escalation pathways and avenues for further action where complaints remain unresolved.
- Considering client complaints and appeals as opportunities for reviewing and enhancing policies and practices, gaining insights into levels of client satisfaction. Complaints and appeals are seen as avenues for improvement.
- Embracing an ethical and professional approach in addressing complaints and appeals.
- Upholding privacy and confidentiality to the extent possible while fully investigating the complaint or appeal.
- Seeking mutually acceptable resolutions through negotiation, conciliation, and/or mediation.
- Embracing its approach to identifying the root cause of complaints through documented investigation and continuous improvement processes that analyse the underlying factors contributing to complaints, rather than only addressing the immediate issue raised by also monitoring recurring complaint themes, identifying systemic issues across operations, implementing organisation-wide improvements, and reviewing the effectiveness of actions taken to reduce the likelihood of similar complaints occurring in the future.
- Disseminating information to students in a non-threatening manner, whether by placing forms in a designated area at GWPT premises or making them downloadable from the GWPT website (when available). Collaborating with external bodies such as Australian Skills Quality Authority (ASQA), WorkSafe Victoria, or others to address complaints or appeals constructively and in a timely manner. GWPT will provide any evidence or information requested by these authorities and comply with any directives they issue.
- Ensuring that consent, confidentiality, and privacy are respected and maintained throughout the complaint and appeals process in accordance with legislative and organisational requirements.

No complaint or appeal will be pre-judged.

## Scope

A Complaint may be made in relation to the training and assessment services offered by GWPT, any product or outcomes of services provided by GWPT and may arise in relation to matters including:

- The conduct of a GWPT staff member, third party, student or other relevant stakeholders associated with GWPT
- Student selection and enrolment
- Training delivery
- Training and assessment resources and documents
- Conduct of assessment
- Issuing of results
- Student services or amenities
- Student support
- Equal opportunity, bullying, victimisation, harassment or discrimination
- The conduct of a person/company (and its staff), acting on GWPT's behalf (a "third party") – e.g. the person/company who referred the student to GWPT; a person/company who is training/assessing a student on GWPT's behalf etc.

Complaints may also cover allegations of abuse and harm to children by adults and other children and breaches to Child Safe Standards, Child Safety Policy and the Child Safety Code of Conduct.

An appeal may be lodged:

- Against an assessment decision
- Against a decision made in the determination of a complaint

The Complaints and Appeals procedure can be used by GWPT staff, students, partnering organisations and other relevant stakeholders (as applicable).

Complaints may be raised verbally or in writing, and the organisation will respond, document, investigate, and manage the complaint appropriately regardless of the format in which it is received.

There are no charges for students and other stakeholders to submit a complaint or appeal to GWPT or to seek information or advice about doing so.

## Communication of Complaints and Appeals Procedure

GWPT will ensure that the Complaints and Appeals Procedure is easily accessible, and all students are made aware of, and have access to, the Complaints and Appeals Procedure. Students are made aware of the Procedure via this Pre-Enrolment Book which is provided at the time of booking. A copy of the Complaints and Appeals Procedure, and 028 Complaints and Appeals Form is available on GWPT's website at [www.gwpt.com.au](http://www.gwpt.com.au), or can be obtained by contacting Head Office on 1300 82 92 95.

Information outlining the process for providing feedback and lodging complaints through the complaints management system is publicly available and readily accessible to VET students through the organisation's website, student handbook, enrolment documentation, email, and direct communication channels through walk-ins.

### **Informal complaints process**

Before lodging a complaint, the person making the complaint is encouraged to try and settle the matter directly with the person/s concerned. When students initiate an informal complaint, the GWPT representative will inquire whether they prefer to formalise the complaint by utilising the complaint and appeal Form. All informal complaints, actions and outcomes must be documented in the document '026 Complaints, Appeals and Feedback Register.'

### **Formal complaints process**

If an informal complaint does not resolve the matter, or is not possible, then a formal complaint may be lodged by:

- Talking to the administration team, trainers/assessors or management representatives; or
- Emailing us ([info@gwpt.com.au](mailto:info@gwpt.com.au) or [compliance@gwpt.com.au](mailto:compliance@gwpt.com.au)); or
- Submitting a completed Complaints and Appeals Form.

The complaint must clearly identify what the complaint is about, when the issue was first identified and any supporting evidence must be attached, where relevant. Unless exceptional circumstances exist, complaints are to be submitted within two weeks of the issue first arising.

Where possible, complaints should be raised directly by the VET student who experienced or witnessed the incident or concern. Complaints submitted by a third party or indirect source will still be acknowledged and recorded as a complaint; however, discussions, investigation processes, and resolution outcomes will primarily be conducted with the person directly affected, where appropriate and practicable.

Within five (5) working days, the RTO representative will provide written acknowledgement of receipt of the complaint.

All reasonable measures will be taken to ensure the process is finalised as soon as practicable. In the event that an outcome is not reached within thirty (30) calendar days, the student will be provided with written reasons for the delay, and the expected timeframe for a decision. GWPT will also keep the student up to date with progress in writing.

The General Manager, or personnel delegated by GWPT (whether employed or contracted), will be responsible for investigating the complaint and making a determination. The subject of the complaint will not be involved in determining the outcome. The investigation will offer both the complainant, and the person/s the subject of the complaint opportunity to have their version of events heard.

GWPT will document discussions, investigations and findings in relation to the complaint. The complainant will be advised in writing of the outcome/s of their complaint, including the reason/s for the decision within five (5) working days of the decision being made. Advice regarding how to appeal the decision will also be provided to the complainant.

### **Appeals process – Decision regarding complaint**

In the event that the complainant is unsatisfied with the outcome of their complaint, they have the right to appeal. Unless exceptional circumstances apply, an appeal must be lodged in writing by the complainant within two weeks of receiving notification of the outcome of the complaint, using the Complaints and Appeals Form or emailing GWPT. The completed Form or email must set out the grounds for appeal, and any supporting evidence must be attached, and submitted to the CEO in accordance with this procedure.

Within five (5) working days the CEO will provide written acknowledgement of receipt of the appeal. Where the appeal concerns the CEO, it must be submitted directly to the General Manager (or their delegate), who will assume the responsibilities set out in this procedure.

All reasonable measures will be taken to ensure the appeal process is finalised as soon as practicable. In the event that an outcome is not reached within thirty (30) calendar days, the student will be provided with written reasons for the delay, and the expected timeframe for a decision. GWPT will also keep the student up to date with progress in writing.

The CEO will be responsible for investigating the appeal and making a determination, except where the appeal concerns the CEO, in which case the General Manager (or their delegate) will assume this responsibility. This will include reviewing any interviews/documents forming part of the initial complaint investigation, and any additional interviews/document review that the investigator sees fit. The subject of the complaint and the person responsible for making the initial determination regarding the complaint will not be involved in the appeal determination.

GWPT will document discussions, investigations and findings in relation to the appeal. The appellant will be advised in writing of the outcome/s of their appeal, including the reason/s for the decision within five (5) working days of the decision being made.

### **Appeals process – Appeal of an Assessment Result**

Students who do not agree with an assessment result should, at first instance, approach their Assessor for clarification regarding why they received that result. If they remain dissatisfied with their assessment result, they may appeal in writing by emailing GWPT or completing the 028 Complaints and Appeals form and forwarding the form to the RTO representative in accordance with this procedure.

Within five (5) working days the CEO or their delegate will provide written acknowledgement of receipt of the appeal.

All reasonable measures will be taken to ensure the appeal process is finalised as soon as practicable. In the event that an outcome is not reached within thirty (30) calendar days, the student will be provided with written reasons for the delay, and the expected timeframe for a decision. GWPT will also keep the student up to date with progress in writing.

The CEO or their delegate will be responsible for investigating the appeal. In the event that the CEO was the original assessor, the CEO will arrange for an independent staff member to investigate and decide the appeal. The appeal process will include:

- Providing the appellant with the opportunity to be heard
- Arranging for an independent assessor to review the original assessment without discussion with the original assessor.

Where the disputed assessment is a practical assessment, and there is a genuine ground to the appellant's allegation, the CEO or their delegate may offer the appellant the opportunity to be re-assessed by another assessor.

Where the independent assessor assesses the student as competent, the independent assessor and the original assessor will meet with the CEO or their delegate to explain why their decisions differ.

The CEO or their delegate will decide the outcome of the appeal. The appellant will be advised in writing of the outcome/s of their appeal, including the reason/s for the decision within five (5) working days of the decision being made. In the event that a Not Yet Competent outcome is upheld, the appellant will be advised of additional training to be undertaken prior to re-sitting the assessment.

GWPT will document discussions, investigations and findings in relation to the appeal. A record of the appeal and the outcome of the appeal will be filed with the appellant's original assessment.

## External Mediation and Consultation

Where a complaint or appeal cannot be resolved through GWPT's internal complaints and appeals process (as outlined above), the appellant may request in writing to the CEO or their delegate that the matter to be referred to an independent mediator for review. Unless exceptional circumstances apply, an application to have the matter referred to external mediation must be lodged by the appellant within two weeks of receiving notification of the outcome of the appeal. The CEO or their delegate will acknowledge receipt of the complainant/appellant's request in writing within five (5) days of receipt.

GWPT will arrange for the mediation to take place as soon as practicable. In the event that the mediation cannot be finalised within thirty (30) calendar days, the student will be provided with written reasons for the delay, and the expected timeframe for the mediation. GWPT will also keep the student up to date with progress in writing.

The mediator will be selected on the basis of availability and location and will be drawn from the Law Institute of Victoria (LIV) Mediators Directory. The independent review will be provided at no cost, or minimal cost, to the appellant. Where the complainant/appellant chooses to seek support or advice from alternative sources, they may be required to meet any costs of doing so (unless the decision to include such an independent party was made by GWPT).

For high-risk work course related complaints, individuals can contact WorkSafe Victoria. You can complete an [online complaints form](#) or call the WorkSafe Advisory team to lodge your complaint on the phone (number - 1800 136 089). WorkSafe's advisory service is available between 7:30am and 6:30pm Monday to Friday.

For information about WorkSafe in your own language.

- Translating and Interpreting Service (TIS National): 13 14 50
- Deaf, hearing or speech impaired? Contact the National Relay Service on 1800 555 660 or visit their website.

The Dispute Settlement Centre of Victoria, Melbourne Office, located at Level 4, 456 Lonsdale Street, Melbourne VIC 3000, can be reached at Tel: 1300 372 888.

If you are not satisfied with a training provider's response to your complaint, or if you believe a training provider is not meeting their obligations, you can tell Australian Skills Quality Authority (ASQA) about your concerns. If you are a student and have a complaint about a training provider, your first step should be to use the provider's own complaints and appeals process. To submit feedback about GWPT directly to ASQA, visit ASQA community space [asqaconnect](#). If you are unable to access asqanet you can submit a complaint through the National Training Complaints Hotline by either completing their [complaints form](#) or calling the enquiry line on 13 38 73.

GWPT will report complaints about child abuse and harm to the authorities and cooperate as necessary with law enforcement. When engaging with relevant authorities as part of complaint resolution involving children and young adults, consent must be sought from parents/guardians/relevant stakeholders before sharing information and student's personal information. If unsure of recordkeeping, reporting and information sharing requirements, GWPT staff must contact the Social Services Regulator— for information and advocacy services.

Additional resources:

- Local Aboriginal and Torres Strait Islander Cultural Organisations and Community Elders.
- Social Services Regulator– for information and advocacy services.

### **Support for Complainant/Appellant**

For all complaints and appeals the complainant/appellant will have the opportunity to be heard. The complainant will have the opportunity to have an independent support person of their choice present. Where appropriate:

- complainants with a disability may have an advocate present; and/or
- complainants with English as a second language may have an interpreter present

Children and young people may seek support from an adult (family/guardian/a GWPT staff), if needed. GWPT administration staff will assist children, young people, people with disability and people from diverse cultural and language backgrounds if they require assistance with lodging a formal complaint.

The complainant (including children and young people) will be supported by GWPT personnel and/or external personnel during the complaint resolution process. Parents/guardians/support personnel can accompany children and young students and actively engage in the complaint resolution process (if the complainant is a child/young person).

GWPT will respond to any concerns or complaints of child harm or abuse promptly in accordance with 'Four critical actions for VET and higher education providers - Responding to Incidents, Disclosures and Suspicions of Child Abuse.'. Children and young people will be protected from the person/s against whom they are making the complaint by directly supervising the impacted children/young people, avoiding any possible interactions between both parties and/or allowing a support person to accompany students if their training and assessment continues at GWPT when the investigation is underway. Children, young people and their families/guardians will be encouraged to seek required emotional and mental support from relevant practitioners, where appropriate. GWPT will ensure matters are investigated promptly, sensitively, impartially, and by appropriately authorised personnel;

### **Marine Licence Training and Assessment**

This Procedure will apply to complaints/appeals relating to Marine/PWC Licensing Training and Assessment. Where however the complaint relates to Marine/PWC Licence Test Questions:

- A copy of the Complaint will be retained by GWPT
- A copy of the Complaint will be provided to the Transport Safety Director, or their nominated delegate
- The Complainant will be advised in writing by GWPT that their complaint has been referred to the Transport Safety Director. This advice will include Contact Details for the Transport Safety Director, or their nominated delegate.
- The Complaint, and referral will be recorded on 026 Complaints, Appeals and Feedback Register

## **Third Party**

- Third parties delivering services on behalf of the RTO must comply with the organisation's feedback, complaints and appeals policy and procedure.
- All third-party agreements must include obligations requiring the prompt escalation of complaints, appeals, feedback, and reportable incidents to the RTO.
- Must not independently finalise or close complaints relating to services delivered on behalf of the RTO without consultation with the RTO.
- Complaints received by third parties must be documented and reported to the RTO within the required timeframe outlined in the agreement or procedure.
- The RTO will monitor third-party compliance through communication, meetings, audits, reviews, and documented reporting processes.
- Records of complaints raised through third parties will be maintained within the RTO's complaint management and continuous improvement systems.
- Failure by a third party to report or escalate complaints may result in corrective action, review of the agreement, or termination of the third-party arrangement.

## **Outcomes review**

The details of all complaints and appeals, including the outcome, will be recorded on the 026 Complaints, Appeals and Feedback Register. This Register will be reviewed by the CEO, General Manager and Compliance Manager as part of the continuous improvement process. Outcomes of complaints are appropriately documented and communicated to all relevant parties involved in the complaint process. Where relevant, recommended actions will be recorded and actioned via the 048 Continuous Improvement Register.