

# ATOL COMPLAINTS AND APPEALS POLICY (v5)

## POLICY STATEMENT

As a Nationally Recognised Training Organization (RTO), Exemplar Global Training Provider and Examiner Certification Scheme (TPECS) and Exemplar Global Recognised Training Provider (RTP); Auditor Training Online (ATOL) must comply with a number of requirements as a condition of registration.

ATOL ensures that complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively in accordance with Standards for RTOs 2015 - Standard 6.

## 1. Definitions

*Course participant* means a person being trained and/or assessed by ATOL for the purpose of issuing Exemplar Global and/or AQF certification documentation.

## 2. Purpose

This procedure provides a defined complaints and appeals process, which demonstrates that complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively.

ATOL is committed to providing fulfilling and rewarding learning and research experience that enables course participants to achieve their full academic potential. Feedback is welcomed as a mechanism for continual improvement.

Wherever possible complaints will be resolved by a process of discussion, cooperation and, where appropriate, mediation, as soon as possible after an incident or situation has occurred. Complaints will be acknowledged and handled promptly. Complaints will be treated sensitively having due regard to procedural fairness and confidentiality. Complainants will not suffer detriment or disadvantage as a direct result of making a complaint.

## 3. Scope

### 3.1. COMPLAINTS

This policy manages and responds to allegations involving the conduct of:

- ATOL, its trainers, assessors or other staff in delivering RTO training and assessments; or
- A third-party providing services on ATOL's behalf, its trainers, assessors or other staff.

### 3.2. APPEALS

- This policy also manages requests for a review of decisions, including assessment decisions, made by ATOL or a third-party providing services on its behalf.

### 3.3. THIS PROCEDURE APPLIES TO:

- All enrolled course participants of ATOL both domestic and international
- Course participants previously enrolled and not currently enrolled, where the event forming the basis of the complaint occurred while they were enrolled or is directly related to their enrolment
- In the context of:
  - All aspects of a course participant's experience at ATOL
  - Activities in relation to online examinations and online academic work, and to examinations and academic work in remote locations
  - The activities of ATOL and its staff in relation to course participants.

### 3.4. COMPLAINTS TIMEFRAME

This procedure is not available where a complaint is made later than twelve months.

After the event giving rise to the complaint. Additionally, this procedure does not apply to the following types of complaints:

- Complaints about any decision for which ATOL Procedures provide an internal process for course participants to appeal the decision. Course participants should follow the appeal process detailed in the relevant Procedure. Once an appeal has been considered by the office-bearer, committee or entity specified in the relevant Procedure, ATOL does not provide any further internal avenues of complaint or appeal. For example, decisions about re-enrolment following suspension or exclusion on the grounds of academic performance are specifically excluded, as these are considered by the Re-enrolment Appeals Committee
- Complaints about the behaviour of ATOL staff (academic and/or professional) which are legally required to be managed in accordance with relevant employment and/or enterprise agreements and associated ATOL staff policies and procedures.

## 4. Types of Complaints

There are three types of complaints within the scope of this procedure:

### 4.1. COMPLAINTS ABOUT ACADEMIC DECISIONS AND MATTERS

Course participants may make a complaint about academic decisions and matters where any of the following apply:

- a) The matter has not been able to be resolved under the relevant ATOL policy or procedure
- b) The complaint relates to a lack of procedural fairness or inconsistent application of ATOL policy or procedure

*Examples of complaints under this category may include but are not limited to assessment, confirmation and review of the progress of assessment candidates.*

## 4.2. COMPLAINTS ABOUT A PERSON

Course participants may make a complaint relating to the behaviour of:

- a) Other ATOL course participants (past or present)
- b) ATOL Training or support staff
- c) Professional/Technical Staff and Subject Matter Experts (SME's) including casual and contract staff

The behaviour of ATOL staff is governed by relevant employment and/or enterprise agreements and ATOL staff policies and procedures. Where a complaint relates to behaviour that is governed by one or more staff agreements, the complaint will not be investigated using this procedure, and will instead be managed in accordance with the relevant staff agreement(s).

Complaints under this category may include but are not limited to ethical and integrity issues, conflict of interest, fraud, bribery, dishonesty, favoritism, discrimination, victimization, vilification, bullying and harassment.

*Examples of complaints under this category include the inconsistent application of assessment procedures or the special consideration procedure.*

## 4.3. COMPLAINTS ABOUT ADMINISTRATION OR PROCESS

Course participants may make a complaint relating to:

- a) Administrative issues or processes including complaints of mismanagement, unreasonable decisions, inconsistent application of University policy or procedure, denial of procedural fairness, failure to provide rights, incorrect advice leading to detriment.

# 5. Course Participant Process

## 5.1. HOW TO MAKE A COMPLAINT OR APPEAL

**Step 1:** Complainants are encouraged to attempt to resolve the matter informally through discussion and negotiation. If the complainant is reluctant or unable to do so, the complaint is escalated to the Customer Services Manager. The Customer Services Manager may ask for the complaint to be put in writing.

**Step 2:** If further investigation is required, the Customer Services Manager refers the complaint to the Director of Training for consideration.

**Step 3:** Complaints that cannot be resolved internally may be referred to ASQA, Exemplar Global or the Overseas Student Ombudsman for an independent review (*refer to item 6*).

## 5.2. TIME FRAME TO SUBMIT

Complaints must be made no later than twelve months after the event giving rise to the complaint.

- a) The course participant should raise their complaint directly with ATOL staff member/s most directly involved with, or responsible for, the subject matter of the complaint. It is strongly recommended that these concerns be made in writing. If the course participant does not make the complaint in writing, the relevant staff member will proceed based on their understanding of the complaint.
- b) Where a course participant is uncomfortable with raising the complaint with the staff member/s most directly involved, the complaint can be made through another member of staff at the local level. This may be done through the website contact form or submission to the email [leadership@auditortrainingonline.com](mailto:leadership@auditortrainingonline.com)
- c) The staff member who is managing the complaint will aim to resolve the complaint as quickly as possible using informal processes. To help reach a mutually acceptable outcome a telephone meeting may be held to discuss the complaint. A support person may be brought to the meeting by the complainant. The parties may agree to involve a neutral third party to assist their discussion of the complaint or, where appropriate, to mediate.
- d) A staff member to whom a complaint is made at the local level may, after considering the nature and circumstances of the complaint, suggest to the course participant that the complaint be investigated at the outset through Stage 2: Central Process.

## 5.3. INDICATIVE TIME FRAMES

- a) ATOL acknowledges all complaints and requests for an appeal within ten (10) business days of receipt. We aim to complete all complaints and appeals processes within a reasonable time frame, which takes into consideration factors such as the Course participant's enrolment in future subjects and/or courses.
- b) ATOL regularly updates the complainant or appellant on the progress of their complaint or appeal; and
- c) ATOL informs the complainant or appellant in writing if it considers that more than 60 calendar days will be required to process and finalize the complaint or appeal, including reasons why more than 60 calendar days are required.

# 6. Staff Process

## 6.1. RESPONDING TO YOUR COMPLAINT OR APPEAL

ATOL acknowledges all complaints and requests for an appeal within ten (10) business days of receipt;

ATOL aims to complete all complaints and appeals processes within a reasonable time frame, which takes into consideration factors such as the Course participant's enrolment in future subjects and/or courses;

ATOL regularly updates the complainant or appellant on the progress of their complaint or appeal; and

ATOL informs the complainant or appellant in writing if it considers that more than 60 calendar days will be required to process and finalize the complaint or appeal, including reasons why more than 60 calendar days are required.

## 6.2. DECISION MAKING PROCESS

ATOL considers its policies, the applicable Conditions of Enrolment and the Standards when determining the outcome of a complaint or appeal.

ATOL applies the principles of natural justice and procedural fairness at every stage of the complaints and appeals process.

## 6.3. RECORD KEEPING

Notes and documentation must be kept at all stages of the resolution of a complaint including records of meetings, discussions, appeal hearings and actions proposed or taken.

All records and notes produced, and documents considered in handling a complaint under the central or appeals process must be stored against the client CRM record, using the following process;

## 6.4. CORRECTIVE ACTIONS

Following the receipt and review of Complaints and Appeals, ATOL conducts a root cause analysis to identify and implement any/all relevant corrective/preventive actions.

## 7. Appeals Process

Complaints that cannot be resolved internally may be referred to Exemplar Global, ASQA or the relevant Course participant Ombudsman for independent review.

## 8. Independent Review

If a complainant or appellant is unsatisfied with the outcome of their complaint or appeal, they may seek review of ATOL's decision by referring their complaint or appeal to the appropriate third party.

In most cases, the purpose of the independent review is to consider whether ATOL has followed its policies and procedures.

- a) *International Course participants and Australian Course participants completing Exemplar Global qualifications*, wishing to find out whether to refer the complaint to

Exemplar Global and to obtain information about how to make a complaint, visit Exemplar Global's website and complaints procedures.

Where requested ATOL is required to make available to Exemplar Global a record of all relevant complaints, as well as the resolution of any such complaints within 30 days of the complaint being lodged.

- b) *For Australian course participants completing Nationally Recognised training*, wishing to find out whether to refer the complaint to ASQA and to obtain information about how to make a complaint, visit the ASQA's website or contact your relevant state training Ombudsman.

## 9. Withdrawal of Complaints

At any stage, a course participant may decide to withdraw a complaint. Where the central complaint process is underway any withdrawal must be in writing (this may be by email).

In most instances, ATOL will then deem the complaint resolved. However, in certain circumstances, ATOL may deem the complaint serious enough for an internal investigation to continue or for referral to an external agency.

## 10. Confidentiality

All parties involved in a complaint including the complainant and respondent/s must maintain confidentiality about the complaint. Information and records about a complaint will be kept confidential and will only be divulged to the staff of ATOL with direct involvement in the process (in accordance with this Procedure) and those to whom it is necessary to enable proper investigation of the matter.

However, ATOL may divulge records about a complaint to legal advisers or insurers and where any of the following apply:

- a) Where there is the risk of harm to a person or persons, it may be necessary to divulge records of and details about the complaint to other members of ATOL staff and relevant external agencies such as the Police;
- b) Where ATOL is required by law to produce the records, for example, to a court or tribunal for the purpose of legal proceedings by way of a subpoena or a similar compulsory process;
- c) Where there is a clear public interest or obligation to share information (such as a duty to disclose information to a professional accreditation board or a duty to report under legislation)

## 11. External Review or Referral

A course participant may take their complaint to an external agency at any point. Where this occurs, ATOL may decide to suspend any internal process pending external investigation.

External bodies may require a complainant to have lodged an internal complaint first before they will become involved. The complainant should contact the external body directly for advice.

External agencies include:

- Anti-Discrimination Board
- Australian Human Rights Commission
- Independent Commission against Corruption

- ASQA
- Exemplar Global

## 12. Related Policies and procedures

- ATOL Privacy Policy
- ATOL General Terms & Conditions
- ATOL Training and Assessment Policy

## Complaints & Appeals Policy Version History

VERSION	ISSUED	AMENDMENT NOTES
v 5 (KT)	01/08/2022	<ul style="list-style-type: none"> <li>• Document Rebrand</li> <li>• Addition of Item 6.4 Corrective Action</li> </ul>