



Complaints and Appeals Procedure

Contents

1.0	PURPOSE	1
2.0	SCOPE	1
3.0	DEFINITIONS	1
4.0	PROCEDURE CONTEXT	2
5.0	PROCEDURE	3
5.1	Informal complaint – frontline resolution	3
5.2	Formal Complaint	3
5.3	Informal Appeal (Assessment)	4
5.4	Formal Appeal (Assessment)	5
5.5	External appeals	5
5.7	Record Management	5
6.0	RESPONSIBILITIES	6
7.0	VERSION CONTROL & DOCUMENT HISTORY	6

1.0 PURPOSE

The purpose of this procedure is to provide a timely and consistent approach for the management and resolution of complaints and appeals in accordance with the EMPOWA Training (EMPOWA) principles as outlined in the Complaints and Appeals Policy.

2.0 SCOPE

This procedure applies to all complaints and appeals received by EMPOWA, made by learners (current, previous, or prospective), business or agencies, employers and/or members of the general public about EMPOWA and / or its services.

In relation to appeals, this procedure applies to all nationally recognised training conducted by EMPOWA. It applies to all RTO learners, RTO trainers and assessors responsible for making internal assessment decisions, including recognition of prior learning.

3.0 DEFINITIONS

Unless otherwise specified, all terms in this document have the same meaning assigned to them as TRG-POL-006 RTO Governance Policy

Complaints and Appeals Procedure



4.0 PROCEDURE CONTEXT

Standards	National Vocational education and training regulator (Outcome Standards for NVR Registered Training Organisations Instrument 2025) See outcome standards 2.7, 2.8 And National vocational education and training regulator (compliance standards for NVR registered training organisation fit and proper person requirement) instrument 2025 (see clauses 20a-b)
Related Policy	TRG-POL-006 Complaints and Appeals Policy
Related Procedures	TRG-PRO-022 Continuous Improvement Procedure
Other Associated documents	Written acknowledgement to student Complaints and Appeals Register Learner handbook Continuous improvement register VET Quality Framework
External Avenues	<p>The Queensland Ombudsman https://www.ombudsman.qld.gov.au/about-us/contact-us</p> <p>Federal Regulator The federal regulator for vocational education and training is the Australian Skills Quality Authority (ASQA), whose contact details are:</p> <ul style="list-style-type: none">• 1300 701 801• enquiries@asqa.gov.au• GPO Box 9928 Melbourne Vic 3001• asqa.gov.au <p>QLD – Fair Trading Queensland Make a consumer complaint Your rights, crime, and the law Queensland Government (www.qld.gov.au)</p> <p>National Training Complaints Hotline: Complaints about training providers can be made at the National Training Complaints Hotline:</p> <ul style="list-style-type: none">• 13 38 73 - select option 4.• education.gov.au/email-complaints <p>https://www.dewr.gov.au/national-training-complaints-hotline</p> <p>QLD – Fair Trading Queensland https://www.ombudsman.qld.gov.au/</p>

Complaints and Appeals Procedure



5.0 PROCEDURE

This procedure supports EMPOWA Training's Complaints and Appeals Policy that:

- the principles of natural justice and procedural fairness are adopted at every stage of the complaints and appeals process;
- complaints, are in place to manage and respond to allegations involving the conduct of:
 - i. EMPOWA Training, its trainers, assessors, or other staff;
 - ii. a third-party where services approved by ASQA on EMPOWA's behalf, its trainers, assessors,
 - iii. or other staff; or
 - iv. a learner of EMPOWA
- provides for an independent party outside of EMPOWA to review the outcome of the complaint or appeal if EMPOWA training has exhausted and failed to resolve the complaint or appeal;
- for appeals to manage requests for a review of decisions, including assessment decisions, made by EMPOWA

EMPOWA do not charge a fee for any part of the internal or external complaints management process.

5.1 Informal complaint – frontline resolution

- a) Where possible a learner/complainant is encouraged to raise their matter in the first instance directly with the other party concerned or they may have someone raise the matter on their behalf. This may include advice, discussions, and general mediation in relation to the matter.
- b) Informal complaints may be received at various points across the RTO. Where possible, non-formal attempts shall be made to resolve the Learner's complaint. EMPOWA encourages open communication and a mutually respectful learning environment.
- c) If after discussing the matter with the learner/complainant concerned, feels the matter is unable to be successfully resolved, a note will be made on the complaints and appeals register; and
- d) the learner/complainant wishes to place a formal complaint, EMPOWA will provide a copy the 'Complaints and Appeals Form' to complete, stating their case providing as many details as possible. This form will be made available on EMPOWA website, contacting EMPOWA on 07 3828 3600 or email info@empowatraining.org.au
- e) The Formal complaints process must then be followed.

5.2 Formal Complaint - Investigation

- a) A learner may submit a formal complaint to EMPOWA with the reasonable expectation that all complaints will be treated with integrity and confidentiality.

Complaints and Appeals Procedure



- b) Formal complaint may have a direct connection to EMPOWA Training, its trainer/assessors, or staff;
- c) All formal complaints must be made in writing, by email, or phone and an EMPOWA staff member can assist with this step. Details must include:
 - complainant's full name, address, phone/email address;
 - details of the concern raised by the complainant;
 - the complainant's desired outcome;
 - reasons outlining the escalation to a formal process;
 - if the complaint relates to another party, that party's full name and position; and
 - Details of the complaint.
- d) Formal Complaints should be submitted to <mailto:info@empowatraining.org.au> within ten (10) working days of occurrence or incident.
- e) EMPOWA will send the complainant a letter of acknowledgement in writing by email of their complaint has been received and advise on the anticipated review period.
- f) Record details on the complaints and appeals register.
- g) EMPOWA will complete the Investigation Report within fifteen (15) working days of beginning the investigation and forward the report and associated recommendations to the relevant RTO Manager with a copy to Compliance.
- h) All documentation/evidence on how the complaint was dealt with and its outcomes, including timeframes, will be retained by EMPOWA Training.
- i) In the event timeframes cannot be met by EMPOWA Training especially if more than 60 calendar days will be required to process and finalise the matter.
- j) EMPOWA Training will notify all parties in writing and record in the complaints register.
- k) The RTO Manager must endorse or revise the recommendations. Once the recommendations are finalised;
 - a) The investigation report is included in the complaints and appeals register;
 - b) The complainant and respondent will be advised of the recommendations and/or outcomes in writing by the RTO Manager within three (3) working days and will include advice about how to appeal the decision; and
- l) The complaint and outcome are recorded on the Complaints & Appeals Register.

5.3 Informal Appeal (Assessment)

- a) An appeal is an application by a learner for reconsideration or review of an unfavourable decision or finding during training and/or assessment outcome or investigation.
- b) If the learner is not satisfied with an outcome and wishes to appeal an assessment, they are required to notify their assessor in writing or verbally within 10 days of receiving the outcome. Where appropriate, the assessor may decide to re-assess the student to ensure a fair and equitable decision is made.
- c) The assessor will be required to complete an outcome of appeal report regarding the reassessment and outlining the grounds as to why the assessment appeal was or was not granted. The assessor will also record any updated assessment outcome on the Outcome Report.

Complaints and Appeals Procedure



- d) If this is still not to the learner's satisfaction, the learner can submit a formal appeal in writing to EMPOWA completed the Complaints and Appeals form or by written letter, stating case, and providing as many details as possible. Help and support with this process can be provided by the EMPOWA Training team.
- e) Formal complaint is entered into the 'Complaints and Appeals register.'

5.4 Formal Appeal (Assessment)

- a) Formal Appeal, process commences when the learner completes the 'Complaints and Appeals form' for reconsideration or review of an unfavourable decision or finding during training and/ or assessment outcome or investigation.
- b) The Learner will be notified in writing that their appeal has been received and registered with EMPOWA.
- c) The process for lodged appeals will begin within 15 working days from the date the appeal was lodged.
- d) The RTO Manager will be notified and seek details from the Trainer involved and any other relevant parties.
- e) A decision will be made regarding the appeal which will either indicate that the assessment decision remains as is or, details of a reassessment by a 'third party.'
- f) The third party will be another assessor appointed by EMPOWA.
- g) If more than 60 calendar days are required to process and finalise the complaint or appeal, The RTO Manager will inform the individual in writing, including reasons why more than 60 days are required and regularly update the individual on the progress of the matter.
- h) If decision is taking more than 60 days, matter can be forwarded to an external complaint resolution organisation as well for resolution.
- i) The learner will also be provided the option of activating the external appeals process if they are not satisfied with the outcome.

5.5 External appeals

- a) If the learner/complainant is still dissatisfied regarding the outcome/decision made by EMPOWA, all internal processes have been exhausted under this procedure by EMPOWA;
- b) they may wish to access an external party

5.7 Record Management

EMPOWA will retain records of all formal complaints and appeals and their outcomes for a period of five (5) years in accordance with the requirements of the Australian Privacy Principles (APPs) set out in the Privacy act 1988.

- a) Electronic records:
 - i. Electronic records are safe from loss as EMPOWA IT performs electronic backups of server information at least once a week.

Complaints and Appeals Procedure



- ii. Confidentiality is maintained as limited staff have access to the database, aXcelerate learner management system (password protected), and all learner / client information is only released as per EMPOWA'S privacy policy.
- iii. All staff employed by EMPOWA Training will be required to apply themselves to the following written procedures and safeguard confidential and personal information according to the Privacy and Protection of Personal Information Act 1998.

b) Hard copy records:

- i. Confidentiality is maintained – matters relating to a complaint or appeal are stored on our quality management system where only the RTO Manager and employees of EMPOWA have access.
- ii. Contents of files are archived on SharePoint and destroyed after 7 years.

This procedure will be stored in EMPOWA'S Quality management system, SharePoint and will be published on our website.

6.0 RESPONSIBILITIES

Position	Responsible for:
Trainer and Assessor	Provide information about assessment appeals
Training Lead	Commence review of application – Advise learner of outcome – Document and file
RTO Manager	Approval of the procedure

7.0 VERSION CONTROL & DOCUMENT HISTORY

Ver.	Approved by:	Approval Date	Summary of Modifications	Next Review Date
1.0	Quality Coordinator		New procedure	
1.0	RTO Manager	30/10/2023	Approved	30/10/2024
1.1	Quality Coordinator	12/12/2025	Update 2025 Standards	
1.1	RTO Manager	12/12/2025	Approved	12/12/2027