

## Smart and Skilled Consumer Protection Policy and Procedure

### Purpose

This Policy and Procedure is developed to address the Consumer Protection requirements related to:

- Smart and Skilled Contract Terms and Conditions
- Smart and Skilled Operating Guidelines
- Smart and Skilled NSW Consumer Protection Strategy
- Smart and Skilled NSW Quality Framework

### Policy Statement

SGSCC is committed to providing the training and support necessary to achieve competency, providing a quality training and assessment experience for all consumers, conducting marketing activities with integrity, accuracy, and transparency and without financial incentive or other inducements to consumers, ensuring prospective students are properly informed about their subsidised training entitlements, their fees and their responsibilities and obligations, providing a clear and accessible feedback and consumer protection officer, maintaining procedures for protecting a consumer's personal information.

SGSCC is committed to providing a fair complaints and appeals process. This Policy is specific to those who are enrolled in a NSW Government Smart and Skilled subsidized course. It includes student's rights, how SGSCC will manage and respond to queries and complaints and the SGSCC Consumer Protection Officer contact details.

### Definitions

#### What is a complaint?

A complaint is generally negative feedback about services or staff which has not been resolved locally. A complaint may be received by SGSCC in any form and does not need to be formally documented by the complainant in order to be acted on. Complaints may be made by any person but are generally made by students and/or employers.

#### What is an appeal?

An appeal is an application by a student for reconsideration of an unfavorable decision or finding during training and/or assessment. An appeal must be made in writing and specify the particulars of the decision or finding in dispute. Appeals must be lodged within 14 days of the decision or finding is informed to the student.

#### Early resolution or complaints and appeals

In all cases, issues that arise during training and assessment that are the source of frustration or are in dispute should be resolved at the time they occur between the student and their trainer.

#### Relationship to continuous improvement

Frequently, the complaints and appeals handling process will expose weaknesses in the training and assessment system that can flow into the continuous improvement system as opportunities for improvement. This outcome of complaints and appeals handling is very positive and should be actively applied by all persons involved.

## Student Rights

### Students have the right to:

- Expect that the education and training they receive will be of a quality consistent with the national VET regulator's requirements (the Australian Skills Quality Authority – ASQA) and the requirements of the Smart and Skilled Contract.
- Be informed about personal information that is collected about them and the right to review and correct that information.
- Have access to SGSCC's consumer protection complaint system.
- Be treated fairly and with respect by SGSCC staff and students in line with equity and anti-discrimination legislation and the Disability Standards for Education 2005.
- Privacy, dignity & confidentiality.
- Quality provision of courses that recognise and appreciate individual needs and learning styles and contain no hidden costs.
- Complain through appropriate channels.
- Appeal for a review of the results of an assessment
- Be protected from all forms of harassment.
- Expect accurate information in advertising.
- Know about policies referring to them.
- A safe & clean learning environment

### Students have the responsibility to:

- Provide accurate information to SGSCC.
- Behave in a responsible and ethical manner.
- Treat other SGSCC students and staff with respect and fairness and not to exercise prejudice against people with disability.
- Read the General Student Information in the College brochure.
- Behave in an acceptable and appropriate manner towards other clients and staff and to respect the property of the College, host schools, lessors and clients.
- Refrain from swearing in classrooms and other learning areas.
- Not behave in any way that could offend, embarrass or threaten others.
- Provide own course requirements where applicable (and where notified).
- Be punctual and regular in attendance.
- Provide accurate information about themselves and advise of any changes.
- Not to use mobile phones, pagers or similar devices at any time in the class.
- Not engage in plagiarism, collusion or cheating in any assessment task.
- Submit all assessment tasks by the due date or ask for an extension of time if there are exceptional circumstances.
- Follow normal safety practices (e.g.: following both written and verbal directions given by SGSCC staff).

## Consumer Protection Officer

Should you wish to make a complaint and to discuss the process with you please contact SGSCC's designated Consumer Protection Officer responsible for the overall administration of the Consumer Protection Policy as below:

Alicia Singh – People and Culture Manager

Tel: 02 8543 7412

Email: [asingh@sgscc.edu.au](mailto:asingh@sgscc.edu.au)

## Complaint and appeal handling

SGSCC undertakes to apply the following principles to its complaints and appeals handling:

- A written record of all complaints and appeals is to be kept by SGSCC including all details of lodgment, response and resolution by the RTO Manager.
- A complainant or person lodging an appeal is to be provided an opportunity to formally present his or her case at no cost.
- Each complainant or person lodging an appeal may be accompanied and/or assisted by a support person at any relevant meeting.
- The handling of a complaint or appeal is to commence within 14 working days of the lodgment of the complaint or appeal and all reasonable measures are taken to finalise the process as soon as practicable.
- The complainant or person lodging an appeal is to be provided a written statement of the outcome, including details of the reasons for the outcome.
- The complainant or person lodging an appeal is to have the opportunity for a person or a body that is independent of SGSCC to review his or her complaint or appeal following the internal SGSCC complaint or appeals process. It is noted that a review of findings by an independent person or body will generally only relate to the appeals process and is less likely to be required in complaints handling.
- SGSCC shall maintain the enrolment of the complainant or person lodging an appeal during the complaint or appeals process.
- Decisions or outcomes of the complaint or appeals process that find in the favour of the student shall be implemented immediately.
- Complaints and appeals are to be handled in the strictest of confidence. No SGSCC representative is to disclose information to any person without the permission of the CEO of St George & Sutherland Community College. A decision to release information to third parties can only be made after the complainant has given permission for this to occur by their completing the Information Release Form.
- Complaints and appeals are to be considered on the basis of procedural fairness and lead to opportunities for improvement as a Continuous Improvement Report.
- Students who are not satisfied with the complaint handling by SGSCC may refer their complaint to Training Services NSW and or ASQA for consideration. Students are to be advised that registering bodies will require the student to have exhausted all avenues through SGSCC before taking this option. Please refer to the Complaint Handling Procedure below for more information.
- Appeals of assessment decisions are not able to be referred to ASQA and are to be determined by an approved independent body.
- SGSCC considers that it would be extremely unlikely that complaints and appeals are not able to be resolved quickly within SGSCC its internal structures.

**SGSCC - St George & Sutherland Community College Inc.**

127-129 Sutherland Road Jannali, NSW 2226

P: 02 9528 3344 • E: [enquiries@sgscc.edu.au](mailto:enquiries@sgscc.edu.au) • W: [sgscc.edu.au](http://sgscc.edu.au)

RTO: 7091 • CRICOS Provider No: 03122K • NDIS Registered Provider: 4050004600 • ABN: 89 753 440 576

## Complaint handling procedure

SGSCC is committed to providing a fair hearing of student difficulties or grievances. Should a student have a grievance the following procedure will apply:

- If the student has a difficulty or complaint which they wish to discuss, they should first talk to their Trainer.
- If this discussion does not satisfy the student, they should then talk to the RTO Manager.
- If the RTO Manager is unable to help them with their difficulty or complaint, then the student should complete a Grievance and Complaints form which formalises their complaint.
- Upon receipt of lodgment of the grievance the student will be advised in writing of the outcome of their complaint within 10 working days. Students will be advised in writing of the outcome of their complaint and SGSCC will implement any decisions and/or corrective and preventative actions required. During this process, SGSCC will maintain the student's enrolment whilst the grievance process is ongoing.
- If the student wishes they may invite a witness to go with them for either language or moral support.
- If this procedure is unsuccessful, and the complaint is of a financial matter, they may approach NSW Fair Trading at [www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au). Students are to be advised that they are able to formally present their case to this external agency with minimal or no cost to themselves.
- All other disputes are to be dealt with by the Appeals Process, so that a suitable resolution to their complaint may be obtained. An appeal process begins when the student completes an Appeals form.
- A decision will be made, recorded and acted upon. The college will implement any decision and/or corrective and preventative action required.

## Making a complaint to Training Services NSW and ASQA

Students who are not satisfied with how SGSCC has attended to their complaint may refer their complaint to Training Services NSW in addition to Australian Skills Quality Authority (ASQA) registering bodies. Students are advised that registering bodies will require the student to have exhausted all avenues through SGSCC before taking this option.

If a student cannot resolve their complaint with SGSCC then they contact Training Services NSW by:

- Applying online: [www.nsw.gov.au/nsw-government/departments-and-agencies/departments-of-education/contact-training-services-nsw#toc-submit-an-online-inquiry-or-feedback](http://www.nsw.gov.au/nsw-government/departments-and-agencies/departments-of-education/contact-training-services-nsw#toc-submit-an-online-inquiry-or-feedback)
- Phone on 1300 772 104
- in person at a Training Services NSW regional office:  
Level 2,41- 45 Rickard Road Bankstown NSW 2200

To make a complaint to Australian Skills Quality Authority students are asked to: Complete the Complaint about a registered training organisation form located on the ASQA website at [www.asqa.gov.au](http://www.asqa.gov.au). They may also submit the form by emailing [complaintsteam@asqa.gov.au](mailto:complaintsteam@asqa.gov.au) or by sending to:

Australian Skills Quality Authority  
GPO Box 9928 Brisbane QLD 4001

Alternatively students may call ASQA on 13 38 73

Following the complaint SGSCC will thoroughly review the complaint and document what actions and outcomes have been identified as a result of the complaint.

Opportunities for improvement that were identified as a result of the complaint are to be recorded in a Continuous Improvement Report and submitted for the next Management Team meeting. The RTO

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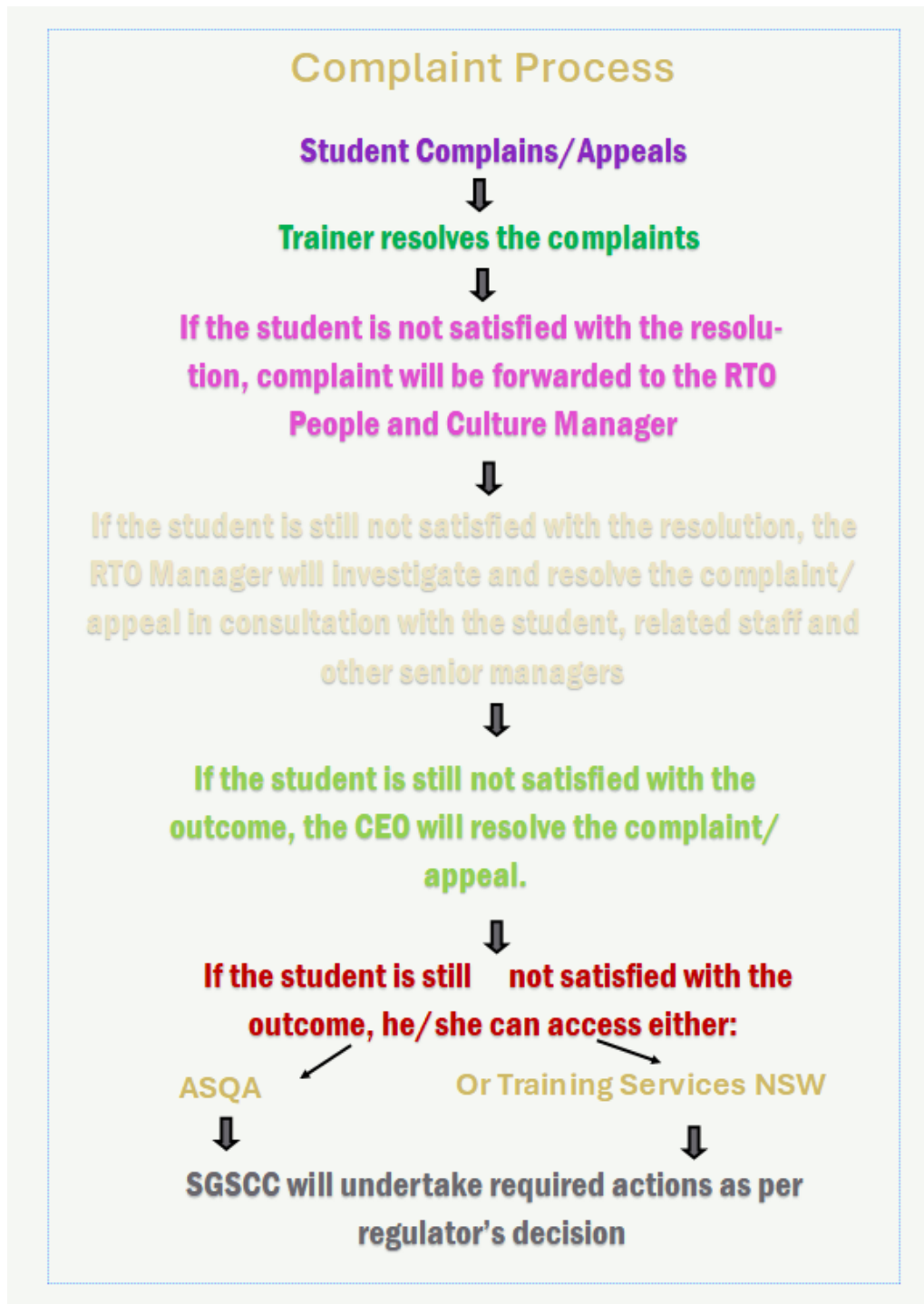
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Manager may, at his or her discretion, follow-up with the complainant after consideration by the Management Team to inform the complainant of the improvement actions identified.

The Complaints and Appeals Register is to be kept up to date at all times to accurately reflect how the matter was responded to and the duration from the date the complaint was received to the date the complaint was resolved.

A diagrammatic version of the Complaints process is below:



## Appeals Handling Procedure:

Applications by students for reconsideration of an unfavourable decision or finding are to be treated with the highest importance. An appeal must be made in writing and specify the particulars of the decision or finding in dispute. Appeals must be lodged within 14 days of when the decision or finding is communicated to the student. The following procedure is to be followed when an application for appeal is received:

- A student appealing and assessment decisions is to be referred immediately to the RTO Manager by completing the Appeals against Assessment Result in the Student Handbook. The RTO Manager is to arrange for a re-assessment of the student as soon as possible. The student is also to be offered the opportunity to undertake additional training before this re-assessment. The reassessment is to be conducted by a different than conducted the initial assessment. The student may be offered up to 3 reassessments
- If after the reassessment, the student remains not-yet-competent and is unsatisfied with the assessment outcome, the student is to meet with the RTO Manager to discuss the assessment process and the assessment outcome.
- If after consultation with the RTO Manager, the student remains unsatisfied with the assessment process, the student is to be provided the Grievance and Complaints Form and the matter is to be dealt with in accordance with the complaint handling procedure.
- If the student is seeking a refund of their tuition fees based on an unfavorable outcome, this may be considered by the CEO on its merits. If the CEO does not approve a refund and considers that St George & Sutherland Community College has dealt with the matter appropriately and has provided the student all reasonable opportunity to demonstrate their competence, the student is to be advised of the opportunity to refer the matter to the Office of Fair Trading in relation to their dispute over the requested refund.
- Management Team to inform the applicant of the improvement actions identified.
- The Complaints and Appeals Register is to be kept up to date at all times to accurately reflect how the matter was responded to and the duration from the date the appeal was received to the date the appeal was resolved.
- How the Consumer Protection and Complaints Policy are made known to students.
- The Consumer Protection and Complaints Policy is available at [www.sgsc.edu.au](http://www.sgsc.edu.au).
- Students will be made aware of the information in the following ways:
- Reference to The Consumer Protection & Complaints policy is contained in the Student Handbook

accessed at [www.sgsc.edu.au](http://www.sgsc.edu.au) as well as provided in hard copy at student induction.

## Person Responsible:

- Trainer/Assessor
- People and Culture Manager
- RTO Manager
- CEO

## Related Documents:

- Complaints and Appeals Register
- Complaints and appeal form