

## Complaints

A **complaint** is any expression of dissatisfaction with an action, product or service of CAPE Training and Assessing (CAPE)

Matters about which complaints may be made include, but are not limited to:

- Information provided to clients by CAPE
- Delivery of training by CAPE
- The behaviour of CAPE staff or trainers
- Student behaviour
- Assessment methods or processes
- Facilities or premises
- Record keeping
- Qualifications / statements of attainment that have been issued / not issued
- Training and assessment resources

## Appeals

An appeal is where a person is dissatisfied with a decision made by CAPE personnel and would like the decision to be reviewed.

Appeals typically relate to assessment decisions made by CAPE trainers / assessors. Appeals against assessment decisions are considered against the assessment principles of validity, reliability, fairness, and flexibility.

## Who can make a complaint or appeal?

A **complaint** or **appeal** may be lodged by:

- Any CAPE client, including students
- A person representing a student
- CAPE staff members
- Industry personnel
- Other members of the community

## How can I make a complaint?

### Complaints Process

The procedure for making a complaint is described below:

1. Discuss your issue / concern with:
  - The CAPE staff member involved, and/or
  - A CAPE Training advisor, and/or
  - The Director of CAPE

If this person is unable to resolve the issue / concern, they may refer you to another CAPE staff member who is able to help.

2. If the complaint is not resolved to your satisfaction and you wish to take it further, put your complaint in writing on CAPE's **Complaints and Appeals Form**. This form can be downloaded from the CAPE website, emailed to you, or printed for you.

*Please contact CAPE Administration if you require assistance to access a copy of this form.*

The completed form may be submitted by email, mail or by hand, and should be marked for the attention of the Director of Cape Training and Assessing.

3. The CAPE Director will acknowledge the receipt of your complaint in writing within 7 days of receiving it and will begin an investigation. The investigation may include:
  - Speaking with you about the complaint
  - Speaking with the person / people to whom the complaint relates
  - Speaking with your supervisor or a representative from your organisation (particularly in cases where training provided to you by CAPE was funded by your employer)
  - Seeking external advice

The Director will ensure that the investigation is fair and unbiased, and that those involved are given an opportunity to present their side of the matter.

4. The CAPE Director will advise you, in writing, of the outcome of the investigation.

Where possible, this will be done within 30 days of receiving the complaint in writing. If additional time is needed, the Director will inform you in writing and will provide you with reasons why additional time is needed. The Director will also provide you with regular updates on the progress of the investigation.

5. If you are not satisfied with the outcome of the investigation and you wish to take it further, you must request the CAPE Director to arrange for an independent mediator to become involved. This request must be made in writing.

The CAPE Director will then contact the Australian Mediation Association and request the name of an independent mediator, as well as a quotation for their services, and will provide these details to you in writing.

If you wish to proceed with independent mediation, you must advise the CAPE Director in writing and you will need to pay half of the independent mediation costs.

6. If you are not satisfied with the outcome of the independent mediation, you may refer the matter to the Training Accreditation Council (TAC) complaints team. Details about how to lodge a complaint with TAC can be obtained from the TAC website.

## How can I make an appeal?

### Appeals Process

The procedure for making an appeal is described below:

1. Discuss the decision with the person who made it, and ask them to explain the reasons for their decision.
2. Should you remain dissatisfied with the decision, politely request the person who made the decision to review it. As part of this process, they may decide to review the information on which their decision was based and discuss their decision with other CAPE personnel, including the CAPE Director or Quality Manager.

A CAPE representative, in most cases the person who made the original decision, will advise you of the outcome of the review.

3. If the matter is not resolved to your satisfaction and you wish to take it further, put your appeal in writing on CAPE's **Complaints and Appeals Form**. This form can be downloaded from the CAPE website, emailed to you, or printed for you.

*Please contact CAPE Administration if you require assistance to access a copy of this form.*

The completed form may be submitted by email, mail or by hand, and should be marked for the attention of the Director of Cape Training and Assessing.

**Please note:** If you wish to lodge a formal appeal, you must do so within 21 days of the original decision being communicated to you.

4. The CAPE Director will acknowledge the receipt of your appeal in writing within 7 days of receiving it and will begin an investigation. The investigation may include:
  - Speaking with you about the decision and giving you the opportunity to formally present your case
  - Discussing the decision with the person who made the decision
  - Seeking the advice of other CAPE personnel (e.g., a trainer / assessor or the CAPE Quality Manager)
  - Speaking with your supervisor or a representative from your organisation (particularly in cases where training provided to you by CAPE was funded by your employer)
  - Seeking external advice (e.g., from a VET consultant or an independent assessor)

The Director will ensure that the investigation is fair and unbiased, and that those involved are given an opportunity to present their side of the matter.

5. The CAPE Director will advise you, in writing, of the outcome of the investigation.

Where possible, this will be done within 30 days of receiving the appeal in writing. If additional time is needed, the Director will inform you in writing and will provide you with reasons why additional time is needed. The Director will also provide you with regular updates on the progress of the investigation.

6. If you are not satisfied with the outcome of the investigation and you wish to take it further, you must request the CAPE Director to arrange for an independent assessor to become involved. This request must be made in writing.

The CAPE Director will then contact an independent assessor and request a quotation for their services, and will then provide these details to you in writing.

If you wish to proceed with independent assessment, you must advise the CAPE Director in writing and you will need to pay half of the independent assessment costs.

7. If you are not satisfied with the outcome of the independent assessment, you may refer the matter to the Training Accreditation Council (TAC) complaints team. Details about how to lodge a complaint with TAC can be obtained from the TAC website.