FEEDBACK, COMPLAINTS AND APPEALS POLICY AND PROCEDURE

1.0 PURPOSE

Mine Safety and Training is committed to providing quality training and assessment in accordance with the 2025 Standards for Registered Training Organisations (RTOs).

This policy provides the framework and general principles for complaints and appeals of the Mine Safety and Training and is based on providing and maintaining training services that are fair and reasonable and afford a forum where issues or inadequacies can be resolved.

The processes at Mine Safety and Training provide adequate opportunity for complaints and appeals to be forwarded to the management for resolution in a timely, confidential, and sensitive manner. Mine Safety and Training will ensure that the principles of natural justice and procedural fairness will be adhered to throughout the hearing of all complaints and appeals.

The object of this policy is to ensure that Mine Safety and Training staff act in a professional manner at all times. This policy provides clients with a clear process to register a complaint. It ensures all parties involved are kept informed of the resulting actions and outcomes.

2.0 SCOPE

Mine Safety and Training acknowledges the student's right to lodge a complaint or appeal when they are dissatisfied with the training and/or assessment services and experiences that they have been provided by Mine Safety and Training.

Mine Safety and Training ensures that clients have access to a fair and equitable process for expressing complaints and appeals, and that Mine Safety and Training will manage the complaint by implementing principles of natural justice and procedural fairness.

With this Mine Safety and Training ensures that:

- it has a procedure for collecting and managing complaints and appeals in a constructive, timely, confidential and sensitive manner
- these procedures are communicated to all staff, contractors, third party partners and students;
- complaints, appeals and outcomes are recorded in writing
- complainants and appellants are given written statements or communication of the appeal or complaints handling outcomes, including decisions and reasons for the decisions
- outcomes of complaints and appeals are utilised to review current practices, which may potentially lead to continuous improvement initiatives in order to mitigate the likelihood of the complaints and appeals.

3.0 Responsible Person/s

Responsible person/s	Role
Complaints Officer **Linda Nicholls**	Primary point of contact for all complaints and appeals. They may delegate responsibility for the resolution of the complaint and appeal if necessary. Mine Safety and Training will ensure that its staff and those acting on its behalf adhere to its Code of Conduct and Appeals Policy.

4.0 POLICY PRINCIPLES

1. Details concerning the scope of this Policy are to be clearly displayed throughout Mine Safety and Training and contained within the Student Handbook, Staff Handbook and Website.
2. Complaints and appeals are treated seriously and dealt with promptly, impartially, sensitively and in confidence.
3. Complaints and appeals will be resolved on an individual case basis and as the needs arise.
4. All students have the right to express a concern or problem and/or lodge a formal complaint if they are dissatisfied with the training and assessment services they have been provided or the behavioural conduct of another student or staff of the Mine Safety and Training.
5. Mine Safety and Training supports the right of a student to lodge an appeal against any assessment decision and will not impair that right in any way. The organisation will do everything possible to address the appeal in an unbiased and professional manner.
6. The handling of a complaint or appeal is to commence within 10 working days of the lodgement of the complaint or appeal, and all reasonable measures are taken to finalise the process as soon as practicable.
7. All complaints and appeals are acknowledged in writing and finalised as soon as practicable. Mine Safety and Training will aim to complete the complaints process as quickly as possible and within a total of 30 calendar days. The organisation will keep the student informed of the progress of the complaint throughout the process by phone communication, email correspondence or face-to-face meeting.
8. If the complaint resolution takes more than 60 calendar days to finalise, Mine Safety and Training will inform the complainant in writing providing the reasons.
9. All complaints will be recorded in the Complaints and Appeals Register and on the student record in the Student Management System. These records, including the outcomes, will be secured and maintained by Mine Safety and Training.
10. No Mine Safety and Training staff shall disclose information to any person without the permission of the Director. A decision to release information to third parties can only be made after the complainant is given permission for this to occur.

6.0 Complaints and Appeals Process

1. Mine Safety and Training adopts the principles of natural justice and procedural fairness at every stage of the complaints and appeals process. All complaints and appeals will be handled in accordance with the Complaints and Appeals Procedure document.
2. Students are provided with a clear process to follow in order to lodge a complaint or an appeal. All parties involved will be kept informed of the resulting actions and outcomes.
3. If a student has a complaint, they are encouraged to speak immediately with a trainer/assessor to resolve the issue. If the complainant is not satisfied that the issue has been resolved, they will be asked to complete a Complaints Lodgement Form and submit a formal complaint.
4. The complaint resolution procedure is based on the understanding that no action will be taken without consulting the complainant and respondent, using a process of discussion, cooperation and conciliation. The rights of the complainant and respondent will be acknowledged and protected throughout the complaint resolution process, including the conduct of separate interviews initially.
5. In the interest of confidentiality, the number of people involved in the resolution process will be kept to a minimum. All complaints will be handled as staff-in-confidence and will not affect or bias the progress of the client in any current of future training.
6. Final decisions will be made by the Director/ Administration of Mine Safety and Training or an independent party to the complainant.
7. If the complaints process fails to resolve the complaint or the complainant is not satisfied with the outcome of the complaint, the matter will be referred to an independent third party for review, at the request of the complainant. The complainant will be advised of all costs incurred by the third-party review.
8. Mine Safety and Training reserves the right to nominate or agree to the independent party and will cooperate fully with the independent third-party review.

7.0 Complaints Procedure

7.1 Purpose

The complaints procedure details the process for managing and resolving complaints lodged by complainants.

Figure 1: Complaints Process

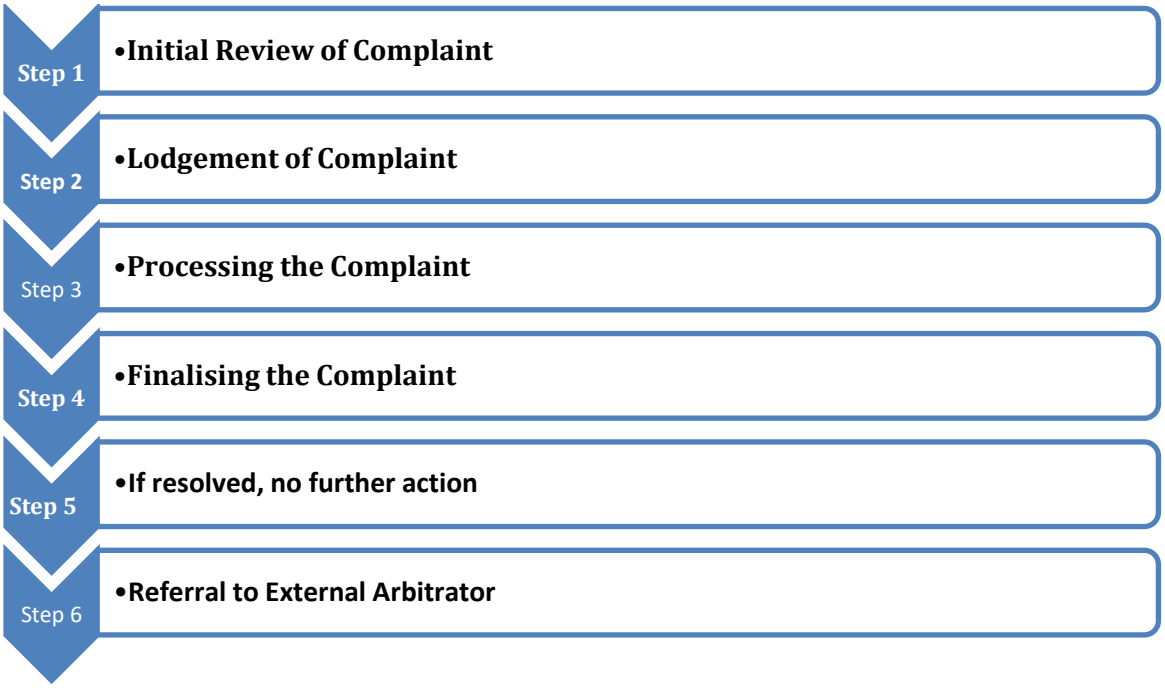


Table 1: Step-by-Step Complaint Process

Step 1 – Initial Review of Complaint	
Person Responsible	**Action/s**
Complainant	Raises concern with MST.
MST Delegate	Records all communication in student file in Records all communication and actions taken in the student management system and/or student file and Complaints and Appeals Register.
	Attempts to resolve the complaint immediately through discussion and informal resolution where appropriate.
	If the matter is successfully resolved, identifies any opportunities for improvement and records them in the Continuous Improvement Register.
	If the matter is not resolved informally, advises the Complainant of their right to lodge a formal complaint.
	Provide candidate with access to Complaints Lodgement Form and explains the complaints process.
Step 2 – Lodgement of Complaint	
Person Responsible	**Action/s**

Complainant	Completes and submits the Complaints Lodgement Form, together with all relevant supporting evidence and documentation.
MST Delegate	Acknowledges receipt of the complaint and records the complaint in the Complaints and Appeals Register and student record.
	Investigates the complaint, gathers relevant information, and ensures procedural fairness is afforded to all parties.
	Makes a determination, provides the complainant with a written outcome and reasons for the decision, and advises them of their right to appeal.

8.0 Appeals Procedure

8.1 Purpose

The appeals procedure details the process for managing and resolving complaints lodged by complainants.

8.2 Grounds for Appeal

Valid grounds for an appeal against an assessment decision (where the complainant believes the assessment decision is incorrect) may include the following:

- the judgment as to whether competency has been achieved and demonstrated was made incorrectly
- the judgment was not made in accordance with the assessment plan
- alleged bias of the assessor
- alleged lack of competence of the assessor
- alleged wrong information from the assessor regarding the assessment process
- alleged inappropriate assessment process for the particular competency
- faulty or inappropriate equipment
- inappropriate conditions.

Figure 2: Appeals Process

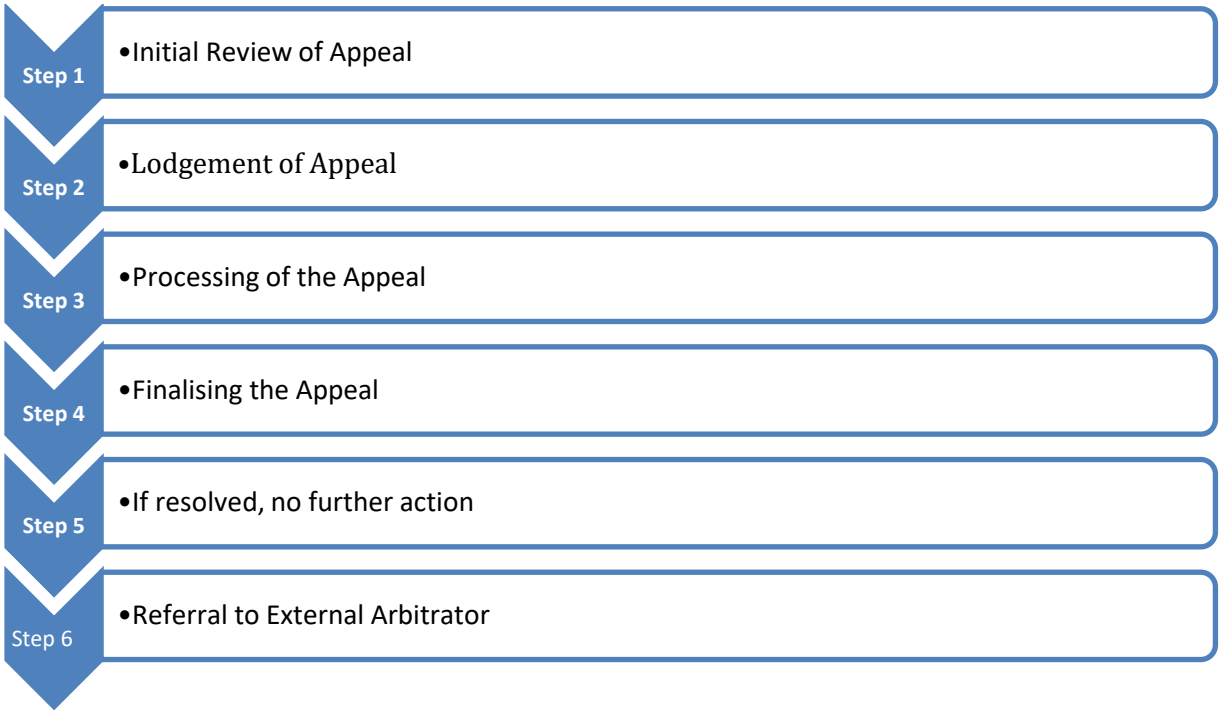


Table 2: Step-by-Step Appeals Process

Step 1 – Initial Review of Appeal	
Person Responsible	**Action/s**
Appellant	Raises an appeal with MST regarding a complaint outcome or assessment decision.
MST Delegate Linda Nicholls	Reviews the grounds for appeal and discusses the matter with the appellant.
	Determines whether the appeal meets the grounds for appeal and advises the appellant of the next steps.
	Provides the Appeals Form where appropriate.
Step 2 – Lodgement of Appeal	
Person Responsible	**Action/s**
Appellant	Completes and submits the Appeals Form and any supporting evidence.
MST Delegate Linda Nicholls	Acknowledges receipt of the appeal and records it in the Complaints and Appeals Register and student record.
Step 3 – Processing of the Appeal	
MST Directors Peter Nicholls Linda Nicholls	Review and investigate the appeal and any supporting evidence.
Step 4 – Finalising of the Appeal	
MST Directors Peter Nicholls Linda Nicholls	Provide the appellant with a written outcome and reasons for the decision.
	Advise the appellant of their right to seek an external review if they remain dissatisfied with the outcome.
Appeal upheld	in this event the following options will be available: • Mine Safety and Training's assessment practices will be re-assessed, potentially by another assessor. • appropriate recognition will be granted. • a new assessment shall be conducted/arranged.
Appeal rejected/not upheld	in accordance with the Mine Safety and Training assessment policy, the client will be required to:

	• undertake further training or experience prior to further assessment. • re-submit further evidence • submit/undertake a new assessment

Appeal Outcome

If the appellant accepts the appeal outcome, the appeal will be closed and any improvement opportunities identified during the process will be recorded in the Continuous Improvement Register.

If the appellant remains dissatisfied with the appeal outcome, they may request an independent external review by submitting a written request to Mine Safety and Training. Mine Safety and Training will provide information regarding the external review process and any associated costs. Any costs incurred as part of the independent external review process will be the responsibility of the appellant unless otherwise determined by the independent arbitrator

9. Record Keeping and Access

Mine Safety and Training will maintain accurate records of all complaints, appeals, investigations, decisions and outcomes in the Complaints and Appeals Register and, where applicable, the student record. All records will be managed in accordance with the Mine Safety and Training Privacy Policy and relevant privacy legislation.

Complaint and appeal records will be treated as private and confidential and will only be accessible to authorised personnel involved in the management, investigation, or resolution of the matter. Information relating to complaints and appeals will not be disclosed to any third party without the consent of the individual concerned, unless required by law.

All complaint and appeal documentation will be securely stored and protected against unauthorised access, loss, misuse, or disclosure. Records will be retained in accordance with Mine Safety and Training's records management requirements.

Where a complaint or appeal results in a continuous improvement opportunity, only information necessary to describe the issue, outcome and improvement action will be recorded in the Continuous Improvement Register. Personal information and identifying details of students, complainants, appellants, or staff members will not be recorded in the Continuous Improvement Register.

10. Monitoring and improvement

All complaints and appeals will be discussed at management meetings to identify potential causes of complaints or appeals, to discuss appropriate corrective action to eliminate or mitigate the likelihood of re-occurrence, and to identify an opportunity for continuous improvement of the processes.

11. Related Documents

Complaints form
Appeal form

12. Relevant Legislation

Work Health and Safety Act 2020
Work Health and Safety Regulations 2022
2025 Standards for Registered Training Organisations (RTOs)

Alignment to the 2025 Standards for RTOs

COMPONENTS OF THE 2025 STANDARDS FOR RTOs		
Outcome Standards (legislation)		
Quality Area	**Standard (Outcome Standard)**	**Performance Indicator/s**
VET student support	2.7(1)	(2)(a)(b)(c)(d) (e)
	2.8(1)	(2)(a)(b)(c)(d)
Compliance Standards and Fit and Proper Person Requirements		
Requirement		**Area**
Information and transparency		7 - Marketing and advertising

Version Control

Version	Date Effective	Approved by	Amendment	Date of next scheduled review
1.0	1/10/2024	MD	Initial policy and procedure	1/10/2024
1.1	8/06/2025	PN	Alignment to 2025 Standards	8/06/2028
1.2	2/09/2026	PN	Minor update, business address	8/06/2028