Complaints and Appeals

Policy

MHCC values and practises openness, fairness and accountability when conducting its activities including any investigations that may arise from participant and trainer feedback. Complaints and appeals are acted on quickly with the aim of efficient and equitable resolution.

All staff involved in complaints and appeals handling should treat information as confidential. This means that the name or identity of the person complaining/appealing, and any other private information, will only be given to people who need to know it in order to deal with the issue. MHCC endeavours to protect complainants, and other people who provide information, from any reprisals or victimisation, which may occur as a result of making a complaint/appeal. If any person feels that they are being treated unfairly by a staff member following a complaint or appeal, they should immediately contact the Chief Executive Officer (CEO).

MHCC is committed to the resolution of complaints and appeals in a fair and timely manner by ensuring that those making the complaint or appeal:

- are clearly informed in a timely manner about how to complain or appeal
- have an opportunity to present their case
- have access to an independent representative if needed
- are clearly informed of the outcomes of the complaint or appeal
- have their complaints and appeals resolved within realistic and fair timeframes

Complaints

A complaint can be lodged about any aspect of MHCC training services except an assessment decision in the case of a participant. To seek a review of a decision, an appeal is lodged.

MHCC treats every complaint and appeal as a serious matter and attempts, where possible, to negotiate a satisfactory outcome for all parties. Participants can lodge complaints by:

- talking to a staff member or
- writing a letter to the Student Support Team or LD Manager

Complaints from Participants

A complaint can be lodged about any aspect of a participant's experience while studying with MHCC including a complaint against a staff member or another participant.

Steps to make a Complaint

1. The participant contacts the Student Support Team to discuss the complaint and to see if it can be resolved informally.
2. If the situation is not resolved informally, participant can ask for it to be formally reviewed.
3. If the participant does not wish to discuss the complaint with the Student Support Team or LD Manager, or the situation is not resolved through the formal process, it is dealt with by

the CEO.

4. If the complaint is still not resolved, the participant can contact a relevant external body.

Complaints and Appeals information is documented in the Participant, Supervisor and Trainer and Assessor Handbooks.

Appeals from Participants and Steps to Make an Appeal

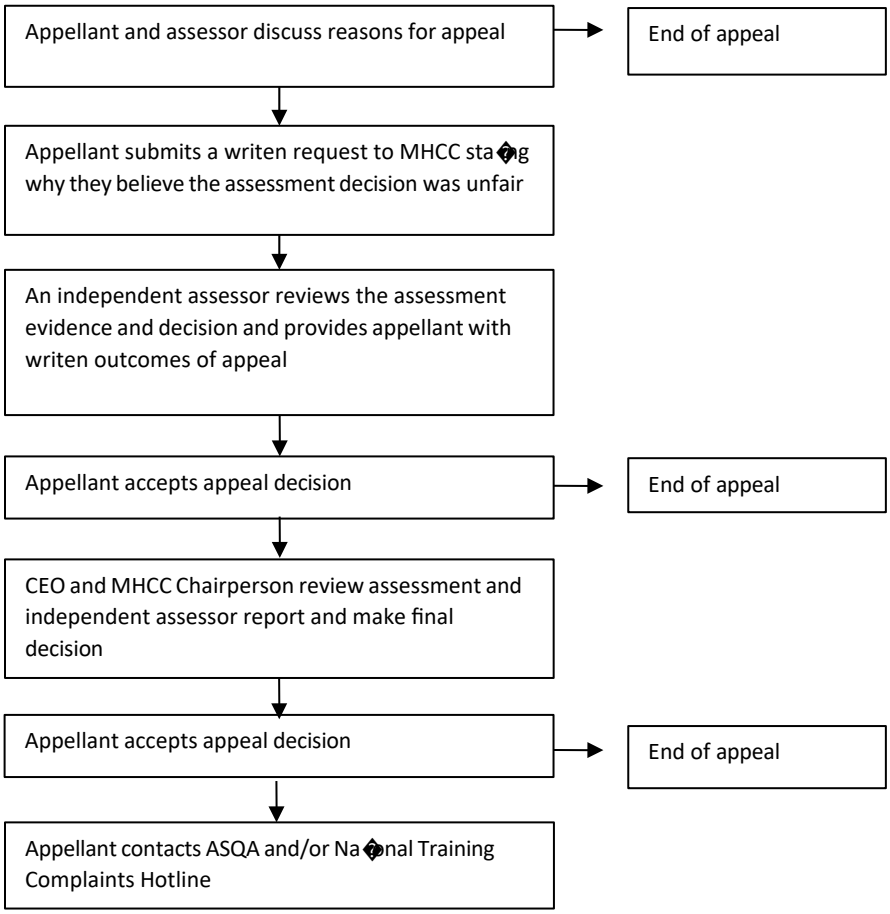
A participant may appeal against their assessment decision (including Recognition) when they believe that:

- their privacy has been breached
- they were not consulted about, or did not take part in, planning their assessment
- assessment was conducted differently to the planned process
- assessment evidence provided was misinterpreted
- assessor(s) and/or trainer(s) showed bias, misjudgement or inappropriate behaviour
- there was a mistake in recording the assessment decision
- a subject was failed due to plagiarism and the participant contests the claim

To lodge an appeal against an assessment decision, the appellant (person appealing) must have been assessed as 'not yet competent' in at least one part of the assessment activity or event that relates to a nationally recognised module or course or the outcome of a RPL application. To raise concerns about the process of the assessment not being conducted in a supportive learning environment, participants should do so by registering a complaint.

In the first instance, the appellant should make an informal approach to MHCC for clarification about the reason for the decision. Following this discussion, if the appellant is not satisfied with the outcome, they follow the formal appeal process.

The following flowchart shows the procedure to be followed for an appeal.



Complaint and Appeal Timelines

Where MHCC considers more than 60 calendar days are required to process and finalise the complaint or appeal, MHCC will inform the participant in writing, including reasons why more than 60 calendar days are required and will regularly update them on the progress of the matter.

External Bodies

If a participant believes that their complaint or appeal has not been treated reasonably and fairly, they can lodge a complaint with the following bodies:

MHCC LD (initial contact) P.O. Box 668, Rozelle NSW 2039	Phone: (02) 9060 9630 training@mhcc.org.au
The National Training Complaints Hotline for VET students	Phone: 13 38 73 Hotline Complaints Form
Fair Work Ombudsman (TAA employment conditions)	Phone: 13 13 94
Australian Skills Quality Authority Complaints Team (issues around training and assessment services)	Phone: 1300 701 801 ASQA Connect

Anti-Discrimination Board (issues around discrimination)	Toll Free: 1800 670 812
Human Rights and Equal Opportunity Commission (issues around equity and fairness)	Hotline : 1300 656 419
Office of the Australian Information Commissioner (Issues around privacy)	Phone: 1300 363 992

Compliance Related Areas

Standards for NVR Registered Training Organisations (RTOs) 2025.

Subject to Clause 6.6, to be compliant with Standard 6 the RTO must meet the following:

C6.1 The RTO has a complaints policy to manage and respond to allegations involving the conduct of:

a) the RTO, its trainers, assessors or other staff;
b) a third party providing services on the RTO's behalf, its trainers, assessors or other staff; or
c) a learner of the RTO.

C6.2 The RTO has an appeals policy to manage requests for a review of decisions, including assessment decisions, made by the RTO or a third party providing services on the RTO's behalf.

C6.3 The RTO's complaints policy and appeals policy:

a) ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process;
b) are publicly available;
c) set out the procedure for making a complaint or requesting an appeal;
d) ensure complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable; and
e) provide for review by an appropriate party independent of the RTO and the complainant or appellant, at the request of the individual making the complaint or appeal, if the processes fail to resolve the complaint or appeal.

C6.4 Where the RTO considers more than 60 calendar days are required to process and finalise the complaint or appeal, the RTO:

a) informs the complainant or appellant in writing, including reasons why more than 60 calendar days are required; and
b) regularly updates the complainant or appellant on the progress of the matter.

C6.5 The RTO:

a) securely maintains records of all complaints and appeals and their outcomes; and
b) identifies potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence

Procedure

When a complaint or appeal against a decision is made to **any staff**, they pass it on to the **Student Support Team** or **LD Manager** as soon as is practicable. They are required to keep the complaint or appeal confidential and only discuss the situation with relevant staff.

When a complaint or appeal is received, the **Student Support Team** or **LD Manager**:

- deals with the matter in a timely manner and as quickly as is practicable
- informs the LD Manager (if the Student Support Team)
- investigates the complaint or appeal by:
  - first discussing the situation and the desired outcome with the complainant/appellant
  - getting the perspective of the other party/ies
  - attempting to resolve the situation locally where relevant

- investigating the situation, if not resolved, including interviewing relevant parties
- keeping relevant parties informed to the end of the investigation
- documenting the complaint or appeal and associated communication using the Complaints Register and Complaints Form in the RTO Compliance Folder
- where the situation is not able to be resolved, the situation is escalated to the CEO

- Where a compliant takes more than 60 days to finalise, the complainant or appellant is informed in writing including the reasons for the timeframe and they are updated regularly till all is finalised
- Where a complaint or appeal outcome is not accepted by the complainant or appellant, the matter is escalated to the CEO

Where a complaint is serious and puts people at risk, **Student Support Team** or **LD Manager** informs the CEO and relevant legal authorities immediately.

Where a CEO escalated complaint or appeal outcome is not accepted by the complainant or appellant, they are provided external avenues to pursue their complaint or appeal.

Where a complaint/appeal has continuous improvement recommendations, the **Student Support Team** or **LD Manager** forwards these in a de-identified format to the **Compliance Officer** and these are added to the Continuous Improvement register unless urgent. If urgent, they are dealt with immediately and then the CI register entry is entered and closed once completed.

Updated: October 2025