

TAC Complaints Handling Information Sheet for Students and Consumers

If you are unhappy with the quality of service or training you are receiving from the registered training organisation (RTO) you are enrolled with, or have contracted to provide a service to your staff, you may choose to lodge a complaint with the Training Accreditation Council (TAC).

Industry and RTO personnel can also lodge complaints if they are unhappy with the operations of the RTO or believe they are not operating in-line with industry or regulatory requirements.

Who can lodge a complaint?

Anyone can lodge a complaint with TAC including:

- past or current students;
- RTO personnel;
- employers;
- parents (if the student is under 18 years of age);
- industry personnel;
- industry regulators; or
- government departments or external funding bodies.

What can you lodge a complaint about?

Issues that may be investigated by TAC include, but are not limited to:

- assessment results and certificates;
- quality of training and assessment;
- assessment processes, including recognition of prior learning (RPL);
- inaccurate or misleading advertisements; or
- if you feel you are not receiving the services as detailed in your learner agreement.

TAC may only investigate complaints about RTOs that relate to compliance with the *Standards for Registered Training Organisations (RTOs) 2015*. If your complaint is not within the scope of the *Standards for RTOs*, you will be referred to the most appropriate authority for handling your complaint.

The types of issues that are outside the scope of the *Standards for RTOs* that TAC is unable to investigate include:

- fees and charges, including refunds;
- harassment, bullying or discrimination;
- complaints about apprenticeships or traineeships; or
- personal disputes between trainers and students.

How to lodge a complaint

Before lodging a complaint, you will need to check that the RTO is registered with TAC. This can be done by searching the National Register at www.training.gov.au. If the RTO is registered with Australian Skills Quality Authority (ASQA) or the Victorian Registration and Qualifications Authority (VRQA) you will need to lodge your complaint directly with them, as TAC is unable to investigate complaints about RTOs who are registered with other regulatory bodies.

To lodge a complaint you are encouraged to complete a *TAC Complaints Application Form*. Complaints forms can be found on the TAC website (www.tac.wa.gov.au). You can then choose to either email it to tacomplaints@dtwd.wa.gov.au, or post it to Locked Bag 16, Osborne Park DC, WA, 6916.

What information do I need to include on my complaints form?

When completing the complaints form, it is important to include the following information:

- if you have attempted to resolve the complaint with the training provider;
- any evidence you have to support your complaint; and
- if you are currently studying with the training organisation.

What happens when I lodge my complaints form with TAC?

On lodgement of your complaint, you will receive an email notifying you that your complaint has been received and the contact details of the Officer dealing with your complaint. The Officer may contact you for further information to assist in determining if the issues you have raised are within the scope of the *Standards for RTOs*. They will also be your contact person if you have any questions or would like to know how your complaint is progressing.

TAC is committed to resolving complaints in a timely manner, and you will be kept informed at each stage of the complaint process.

If your complaint issues are within the scope of the *Standards for RTOs*, your nominated Officer may contact the RTO and arrange a meeting with them to discuss the complaint and provide them with an opportunity to present any evidence. This is to ensure that natural justice and procedural fairness is followed and the investigation is undertaken free of bias. Procedural fairness means that:

- the person affected is given a fair hearing;
- all parties to a matter have an opportunity to present their case;
- the decision-maker is impartial and acts without bias when making the decision;
- all relevant arguments are considered and irrelevant arguments are excluded; and
- the decision, the reasons for the decision and the evidence upon which the decision is made are explained and are capable of review.

Will the RTO know I have lodged a complaint?

You can request to have your name withheld from the RTO during the complaints process. While the TAC Secretariat will make every effort to ensure your name is withheld, we cannot guarantee anonymity.

Complaints made to TAC are dealt with in a confidential manner, however there may be circumstances where the TAC or the TAC Secretariat may be required to disclose documents in response to a request under the *Freedom of Information Act 1992 (WA)*, a subpoena, or in light of other legal requirements. If this occurs you will be provided with an opportunity to formally object to the release of the documents.

There may be circumstances when TAC is obliged to reveal your name if it is essential to resolving to the complaint. In these cases, your permission will be sought before TAC proceeds further.

Can I have someone support me through the complaints process?

You can choose to have a support person present at any meetings you may have with TAC Secretariat. The role of a support person is to support you through the complaint resolution process and not to speak or present any evidence on your behalf.

What if I am dissatisfied with the complaint outcome?

If you are dissatisfied with the complaint outcome you are advised to contact the Training Accreditation Council Secretariat in the first instance. If the matter remains unresolved, you may contact the Western Australian Ombudsman to discuss the matter further or to lodge a complaint. Information on the WA Ombudsman can be found at www.ombudsman.wa.gov.au

Who do I contact for more information?

If you have any questions about the complaints handling process please contact the TAC Secretariat on (08) 9224 6510 or tacomplaints@dtwd.wa.gov.au