

Training and Development Centre Complaints and Appeals Policy and Procedure

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Approval: Chairperson

Signature:

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Purpose

The Aboriginal Health Council of Western Australia (AHCWA) Training & Development Centre (T&DC) (also referred to as the Registered Training Organisation (RTO)) prides itself on working to achieve the best possible outcomes for all students and stakeholders. Complaints are an opportunity to review performance, improve stakeholder satisfaction and improve systems and performance. Complaints are processed and handled confidentially, and in a timely and efficient manner to prevent escalation and to value the complainant and others involved.

This policy and procedure provides clear and practical guidelines to ensure that all complaints and appeals received about the T&DC, are resolved equitably and efficiently, and in accordance with the principles of natural justice.

Scope

This complaints and appeals policy and procedure applies to all allegations involving the conduct of:

- T&DC Trainer and Assessors and any support staff;
- stakeholders and others connected to the T&DC;
- a third party providing services on the T&DC's behalf, its trainers, assessors or other staff (where this may be relevant to its operations); and
- a student of the T&DC.

Collectively referred to in this policy as 'person'.

Objective

To provide an overview of the processes in place for:

- complaints and appeals to be lodged by students and other customers/stakeholders;
- reviewing and addressing complaints and appeals efficiently and effectively;
- gathering and recording data on complaints and appeals;
- implementing continuous improvement and other actions on basis of complaints and appeals received; and
- complaints and appeals feedback to be collected, analysed and acted on for continuous improvement of service.

Evidence Base

This policy is consistent with the following standards and the legal provisions of the relevant listed legislation:

- ISO 9001:2015 Quality Management Systems;
- Australian Standard AS 8000-2003 Good Governance Principles; and
- Australian and New Zealand Standards AS/NZ 4360 Risk Management.

This policy assists AHCWAs' compliance with the following relevant rules and regulations:

- VET Quality Framework; and
- *Standards for Registered Training Organisations 2015: Standards 5.2, 6;*
- *Training and Accreditation Council Users Guide to the Standards for RTOs 2015 – VO2-20.*

Linked Documents

- Doc 1394 T&DC Complaints and Appeal Form;
- T&DC Complaints and Appeals Register in LogiQC.
- Doc xxx T&DC Complaints and Appeals Process Flowchart

Related Documents

This policy should be read in conjunction with the following policies and documents:

- Doc 040 External Complaints and Feedback Policy and Procedure;
- Doc 042 Grievance and Dispute Management Policy and Procedure;
- Doc 062 AHCWA Support Feedback and Evaluation Form;
- Doc 073 Compliments, Suggestions and Complaint Form; and
- Doc 435 Block Exit Interview Form (T&DC).

Definitions

Complaint - is any expression of dissatisfaction with an action or service of the Registered Training Organisation.

Appeal - is where a person of the T&DC or another interested party disputes a decision arising from a complaint, an assessment decision, or another **decision made by the T&DC**.

Complaints and appeals can arise from matters of concern relating to:

- training delivery and assessment;
- the quality of the training;
- student support;
- materials;
- discrimination; and
- harassment.

Natural Justice - is concerned with ensuring procedural fairness. It involves:

- Decisions and processes free from bias;
- All parties having the right to be heard;

- All parties having a right to know how they are involved and what they are accused of;
- Investigating a matter appropriately before a decision is made; and
- All parties being told the decision and the reasons for the decision.

Person – is someone making the complaint (complainant or appellant) and can be an individual, a group or an entity/organisation.

Policy body

The T&DC believes that a person, who has a complaint or appeal, has the right to raise the complaint or appeal and expect that every effort will be made to resolve it in accordance with this policy, and without prejudice or fear of reprisal or victimisation.

The person has the right to present the complaint or appeal formally and in writing.

The T&DC will manage all complaints and appeals fairly, equitably and as efficiently as possible. The T&DC will encourage the parties to approach the complaint or appeal with an open mind, and to resolve problems through discussion and conciliation.

The T&DC seeks to prevent complaints by ensuring high levels of satisfaction with its training and assessment, its performance as an RTO and with its public image. If a complaint should arise, all staff are expected to be fair, courteous and helpful in all dealings with the person making the complaint or lodging the appeal, and to assist or refer where they can.

Where a complaint or appeal cannot be resolved through discussion and conciliation, the T&DC acknowledges the need for an appropriate external and independent person/party to mediate. The parties involved will be given the opportunity to formally present their case in an independent forum.

Confidentiality will be maintained throughout the process of making and resolving complaints/appeals so far as reasonably practicable. The T&DC seeks to protect the rights and privacy of all involved, and to facilitate the return to a comfortable and productive learning environment.

A copy of this Policy is available to the public, all stakeholders, students and staff via AHCWA's website and is available in the Student Handbook. Information and contact details of external authorities who may be approached, is also included.

Complaints Procedure

Should a person have a complaint or appeal, the following steps are to be followed:

1. The T&DC and/or the complainant are encouraged to discuss the issue directly with those involved to try and resolve it verbally.
2. If no resolution is reached, the person should put the following information relating to the complaint or appeal in writing to the T&DC Coordinator. This **written notification** can be made using the *T&DC Complaints and Appeal Form (Doc 1394)* or by email, letter or over the phone (with a dictation made by the RTO representative), and must include:
 - a) A description of the complaint or appeal;

- b) A statement about whether the person wishes to formally present their case;
 - c) Information about any prior steps taken to deal with the complaint or appeal; and
 - d) What they would like to happen to fix the problem and prevent it from happening again.
3. A written acknowledgement of receipt of the complaint/appeal will be forwarded to the complainant within five working days.
 4. The T&DC Coordinator will either deal with the issue personally, or arrange for it to be dealt with by a management representative. This process must commence within two working days from the time the T&DC Coordinator receives the **written notification** and a response/resolution, the organisation will aim to resolve the complaint within 21 days however more time may be required if the complaint is complex in nature..
 5. The T&DC Coordinator will:
 - Undertake a preliminary enquiry to determine nature of the complaint/appeal;
 - Inform other relevant parties (if necessary);
 - Provide all parties an opportunity to present their case (with a support person and/or parent/guardian if a student is under 18 years of age);
 - Discuss with the parties any resolution and any arrangements required by the RTO;
 - Record the outcome of discussion on T&DC Complaints and Appeals Register; and
 - Provide the outcome in writing to the person (and other parties if relevant).
 6. Should the issue still not be resolved to the person's satisfaction, the T&DC will make arrangements for an independent party to resolve the issue and outline any costs that may be involved for this to happen, to the person. The person will be given the opportunity to formally present their case. The organisation will aim to resolve the complaint within 21 days however more time may be required if the complaint is complex in nature.
 7. All parties involved will receive a written statement of the outcomes, including reasons for the decision within the 21 day period. If the process is taking longer than 60 days from the complaint or appeal being received, the person will be notified in writing of the reason for the delay, and kept informed of all progress.
 8. If the person is still not happy with outcomes from the independent process, they may take their complaint to the VET Regulator - the Training Accreditation Council (TAC).
 9. From any substantiated complaints and appeals, the causes will be reviewed as part of the RTO's continuous improvement processes, and appropriate corrective action will be taken to prevent or reduce the likelihood of reoccurrence. Actions will be recorded on the T&DC Complaints and Appeals Register in LogiQC.
 10. Any complaint that is related to illegal activity, such as theft, assault etc., will be immediately referred to the appropriate authority.

Review Timeframe

This policy will be reviewed every two (2) years.