

PP002 - Complaints and Appeals Policy

Purpose:

This policy & procedure supports Quality Service Skills to meet relevant legislative and contractual requirements including:

- The VET Quality Framework (Standards for Registered Training Organisations)
 - Standard 6: Clause 6.1-6.6 Manage Complaints and Appeals

Scope:

All management, staff, future and current students of Quality Service Skills.

Procedure:

Quality Service Skills (QSS) aims to ensure that we provide a process for complaints and appeals to be heard and actioned. This includes any allegations involving the conduct of QSS staff, trainers and assessor, as well as past or current students of QSS (*VQF Clause 6.1*).

All complaints and appeals received by QSS will be viewed as an opportunity for improvement. Information on Complaints and Appeals (including policy, process and application forms *VQF Clause 6.3c*) are publicly available via our Student Handbook and website www.qss.edu.au and can also be emailed or posted upon request (*VQF Clause 6.3b*).

QSS aim to always provide an exceptional level of customer service to our clients, however we appreciate that occasionally complaints may require more formal resolution including additional time, effort and possibly an advocates assistance to resolve. The following procedure provides clients the opportunity to have any issues relating to a substantiated complaint or appeal resolved and resolutions reached that attempt to satisfy all parties involved, to ensure the principles of natural justice and procedural fairness are adopted at every stage of the process (*VQF Clause 6.3a*). This complaints and appeals process will be at no cost to the student or client (unless referred to a third party).

General Complaints – In the first instance, QSS shall organise a face to face meeting to resolve the issue. This may include conversations and discussions, and possibly mediation in relation to the issue. If QSS are unable to resolve the issue in the face-to-face meeting, the following procedure must be followed:

- QSS accepts complaints and treats all correspondence relating to complaints with integrity and privacy.
- Complainants have the right to access advice and support from independent external agencies / persons at any point of the complaint and appeals process. Use of external services will be at the complainant's expense, however a complainant may be assisted or accompanied by a support person at all times if they wish (e.g. parent, friend, employer)
- Any person wishing to submit a formal complaint or appeal can do so by completing the 'Complaints and Appeals Form' and state their case providing as many details as possible.
- Alternatively an email to info@qss.edu.au will ensure an unbiased Admin team member is aware of and can oversee the complaint process.
- All formally submitted complaints or appeals are then submitted to the CEO. Complaints are to include:
 - Submission date of complaint
 - Name of complainant;
 - Nature of complaint;
 - Date of the event which lead to the complaint
 - Attachments (if applicable)

- Once a formal complaint is received it is to be entered into the 'Complaints and Appeals Register' which is monitored by the CEO regularly (*VQF Clause 6.5*). The information to be contained and updated within the register is as follows:
 - Submission date of complaint
 - Name of complainant
 - Description of complaint / appeal
 - Determined Resolution
 - Date of Resolution
- All complaints will be acknowledged in writing (by mail or email) within 2 days of receipt of the complaint (*VQF Clause 6.3d*)
- The CEO shall consult with the appropriate staff to resolve or make a decision on the complaint within 10 working days and keep the complainant informed of any decisions or outcomes.
- In the unlikely event that the complaint is not finalised within 10 calendar days, QSS shall ensure that the complainant shall be provided reasons for the delay and will be regularly kept informed and updated of the progress of the matter. Additional time may be required for investigation and review of particularly detailed complaints.
- Once a decision has been reached the CEO will inform all parties involved of any decisions or outcomes both in phone and in writing. Within the notification of the outcome of the formal complaint the complainant shall also be notified that they have the right of appeal. To appeal a decision QSS must receive, in writing, grounds of the appeal. Complainants are referred to the appeals procedure.
- The CEO shall ensure that QSS will act immediately on any substantiated complaint. If the internal or any external complaint handling or appeal process results in a decision that supports the complainant, the registered provider must immediately implement any decision and/or corrective and preventative action that is required and advise the complainant of the outcome.
- Copies of all documentation, outcomes and further action required will be placed into the 'Complaints and Appeals Register' by the CEO.

Appealing a Decision

All complainants have the right to appeal decisions made by QSS where reasonable grounds can be established (*VQF Clause 6.2*). The areas in which a complainant may appeal a decision made by QSS may include:

- Assessments conducted
 - Deferral, suspension, or cancellation decisions made in relation to the student's enrolment
 - Or any other conclusion / decision that is made after a complaint has been dealt with by QSS in the first instance.
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- To commence the appeal process the complainant is to complete a 'Complaints and Appeals Form' which is to include a summary of the grounds the appeal is based upon. The reason the complainant feels the decision is unfair is to be clearly explained and help and support with this process can be gained from Quality Service Skills.
 - The CEO shall then determine the validity of the appeal and organise a meeting with all parties involved in the matter and attempt to seek resolution where appropriate.
 - The process for all formally lodged appeals will begin within 5 working days of the appeal being lodged.
 - The CEO shall ensure that QSS acts on any substantiated appeal.
 - Where an appeal has been lodged it will be defined into one of the following categories and the appropriate procedures followed:

General appeals

- Where a complainant has appealed a decision or outcome of a formal complaint they are required to notify QSS in writing of the grounds of their appeal. Any supporting documentation should also be attached to the appeal.
- The appeal shall be lodged through the CEO and they shall ensure the details of the appeal are added to the 'Complaints and Appeals Register'.
- The CEO shall be notified and shall seek details regarding the initial documentation of the complaint and shall make a decision based on the grounds of the appeal.
- The complainant shall be notified in writing of the outcome with reasons for the decisions, and the 'Complaints and Appeals Register' updated. The complainant shall also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The complainant is required to notify QSS if they wish to proceed with the external appeals process.

Assessment appeals

- Where a student wishes to appeal an assessment, they are required to notify their Trainer & Assessor in the first instance. Where appropriate the Trainer & Assessor may decide to re-assess the student to ensure a fair and equitable decision is gained. The Trainer & Assessor shall complete a written report regarding the re-assessment outlining the reasons why assessment was or was not granted.
- If this is still not to the student's satisfaction, the student shall formally lodge an appeal by submitting a written letter outlining their reasons for the appeal. They shall lodge this with student administrations department and the appeal shall be entered into the 'Complaints and Appeals Register.'
- The CEO shall be notified and shall seek details from the Trainer & Assessor involved and any other relevant parties. A decision shall be made regarding the appeal either indicating the assessment decision stands or details of a possible re-assessment by a 'third party'. The third party shall be another Trainer & Assessor appointed by QSS.
- The student shall be notified in writing of the outcome with reasons for the decision, and the 'Complaints and Appeals Register' updated. The student shall also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The student is required to notify Quality Service Skills if they wish to proceed with the external appeals process

External Appeals and Further Information for Dispute Resolution:

In addition to the above internal processes, if students enrolled with QSS are still dissatisfied with the decision of the RTO, they may wish to seek legal advice or submit an application with an external dispute resolution process by a relevant body appointed for this purpose (See below for contact details *VQF Clause 6.3e*).

Where QSS is informed that the student has accessed external appeals processes:

- QSS will maintain a student's enrolment until the external appeal process is finalised.
- QSS will comply with the findings of the external appeals process.
- Where a decision or outcome is in favour of the complainant QSS shall follow the required action and recommendation from the relevant external appeals organisation to satisfy the student's grievance as soon as practicable.
- The decision of the independent mediator is final and any further action the student wishes to take is outside the RTO's policies and procedures. The student shall be referred to the appropriate government agencies and this information can be gained from the CEO.
- All records and correspondence in relation to an external appeal shall be maintained with the initial complaint and internal appeal documentation within the 'complaints and appeals register' and the student file for a minimum of 5 years.

Further information

If, after the RTO's internal complaints and appeals processes have been completed, you still believe the RTO is breaching or has breached its legal requirements, you can submit a complaint to:

National Training Complaints Hotline

<https://www.dewr.gov.au/national-training-complaints-hotline>

ASQA

<https://asqaportal.asqa.gov.au/Make-a-Report//?From=complaint>

Alternate Dispute Resolution:**Victoria:**

<http://disputes.vic.gov.au/>

Western Australia Dispute Resolution:

<https://www.consumerprotection.wa.gov.au/inc-guide-incorporated-associations-western-australia/dispute-resolution-procedures>

QLD Dispute Resolution:

<https://www.qld.gov.au/law/legal-mediation-and-justice-of-the-peace/settling-disputes-out-of-court/dispute-resolution-centres>

ACT Dispute Resolution:

<https://www.acat.act.gov.au/conferences-and-mediation/mediation>

NSW Dispute Resolution:

<https://www.fairtrading.nsw.gov.au/trades-and-businesses/construction-and-trade-essentials/resolving-a-dispute>

End Policy