

Complaints and Appeals Policy and Procedure

Issue/ Amendment/ Compliance Status

| Compliance Instrument/s | Reference |
|---|---|
| <i>Standards for Registered Training Organisations 2015</i> | 6.1 – 6.6 |
| <i>Smart & Skilled Operation Guidelines (current)</i> | Smart & Skilled consumer protection strategy/system |

| Policy Version | Description of Changes | Date of Change | Change Made By | Approving Authority |
|----------------|--|----------------|----------------|---------------------|
| 1.0 | Inclusion of 'Issue/ Amendment/ Compliance Status' table (this page). | 23/03/2018 | RCC | GM |
| | Completion of a 'Complaints and Appeals Policy and Procedure' in accordance with Standard 6, clauses 6.1-6.5. | 09/04/2018 | RCC | GM |
| 1.1 | Wording adjustment | 29/08/2018 | RCC | GM |
| 1.2 | Reviewed Policy and Procedure – Updating formatting | 25/06/2019 | RCC | GM |
| 1.3 | Updating the policy and procedure | 07/01/2020 | RCC | GM |
| 1.4 | Updated 'purpose' | 23/03/2021 | RCC | GM |
| 1.5 | Reviewed Policy and Procedure. Adjected wording. Moved 'scope' | 06/04/2022 | RCC | GM |
| 1.6 | Reviewed policy and procedure. Update 'intent'. | 29/03/2023 | RCC | GM |
| 1.7 | Review policy. Added 'Informal complaints and appeals'. Updated punctuation. | 10/07/2023 | RCC | GM |
| 1.8 | Update and add step 10.11 & 12 to 'Procedure to make a complaint or appeal (Steps and actions)'. | 25/07/2023 | RCC | GM |
| 1.9 | Reviewed and updated. Included reference to the STS/Smart & Skilled Consumer Protection system. Expanded the scope to include parents, MP and MP staff in the applicable to area to be consistent with the relevant 'record of event'. Made reference that this policy is referenced in an abridged version in the student handbook. Amended wording of 'Director' to 'relevant Senior Management Team' to be consistent with other recent updated policies. Deleted the mobile number of the Dedicated Consumer Protection Officer as it was no longer current. | 19/07/2024 | RCC | GM |
| 2.0 | | | | |

Complaints and Appeals Policy and Procedure

Please note that Julie Reid Management Pty Ltd trading as MP Training and Recruitment is referred to as 'MP' for the purpose of this document.

Background

The *National Vocational Education and Training Regulator Act 2011* establishes the Vocational Education Training (VET) Quality Framework, a system which ensures the integrity of nationally recognised qualifications. Included in the VET Quality Framework are the *Standards for Registered Training Organisations (RTOs) 2015*.

MP must comply with the eight Standards as a condition of registration.

Specific to this policy is Standard 6 which requires all Registered Training Organisations to implement a complaints and appeals policy that enables learners and clients to be informed of, and to understand their rights, and the RTO's responsibilities under the Standards.

The *Smart and Skilled Quality Framework* includes measures for students and potential students (consumers) to ensure that they are well informed of their rights and given a clear avenue for complaint. The administration of this Smart and Skilled consumer protection system will be within the Office of Education (State Training Service) (STS). The system is a central point for consumers seeking assistance if they have a complaint relating to an approved Smart and Skilled registered training organisation (a provider).

The Dedicated Consumer Protection Officer at MP is the General Manager, who can be contacted on (02) 60579333 or admin@mptrainingandrecruitment.com.au

Intent

The intent of this policy is to provide an independent, easily, and immediately accessible and inexpensive complaints and appeals process for the learners.

MP Training and Recruitment (MP) manages complaints effectively and efficiently, and uses feedback to improve practice. Learner and client satisfaction is enhanced through the provision of an effective feedback and complaints management system.

Analysis of complaints shall contribute to continuous improvement of MP policy and practice.

Scope

This policy and procedure apply to:

- Current and prospective MP learners, their parents, or groups of learners, clients, employers, and MP or MP staff; and
- Former MP learners, their parents, clients, employers, and MP or MP staff, up until 30 days following withdrawal or completion.

Purpose

This policy and procedure outline the principles governing MP in relation to complaints and appeals as well as facilitating compliance with Standard 6.

MP aims to:

- foster a culture that welcomes complaints as a valuable opportunity to improve organizational processes.
- ensure that complaints are resolved promptly, objectively, fairly, with sensitivity and confidentiality; and
- ensure that both corrective and preventative actions are implemented to prevent recurrence of issues.

MP recognises the right of the learner and client to raise any complaint or appeal by:

- Informing learners of this in the Learner Handbook via an abridged version, prior to commencement of training
- Providing access to the Complaints and Appeals Policy and Procedure on the MP website.
- Treating all complaints with confidentiality: where a learner or client is under 18, the parent/guardian of
- A learner may be contacted to inform them of the situation and explain the process.
- Dealing with complaints as per the Complaints and Appeals Policy and Procedure and relevant legislation in a timely manner
- Providing an avenue of complaint and resolution to any sub contracted RTO's, their learners, and staff
- Ensuring no learner or client shall be disadvantaged or victimized because of making a complaint.
- Helping with reporting and record of complaints
- Keeping the learner or client informed of the progress of their complaint.
- Registering complaints on the Complaints Register and following the appeal process if required.
- Recording and discussing complaints and outcomes at monthly RTO Meetings or SMT Meetings
- Implementing continuous improvement processes to address and rectify complaints.

Formal Complaints

This policy and procedure manage and responds to allegations involving the conduct of:

- MP, its trainers, assessors, or other staff in delivering RTO training and assessment.
- A third-party providing services on MP's behalf, its trainers, assessors, or other staff; or
- A Learner of MP, their parents or employer.

Appeals

This policy and procedure also manage appeals for a review of decisions, including assessment decisions, made by MP or a third-party providing services on its behalf.

Procedure to make a complaint or appeal (Steps and actions)

| | Procedures | Responsibilities | Timeline |
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| 1. | Complainants are encouraged to attempt to resolve the matter informally through discussion and negotiation. If the complainant is reluctant or unable to do so, the complaint is made to the General Manager, or relevant Department Manager, who may ask for the complaint to be put in writing. | Complainant | Within 30 days of occurrence, if during work placement must be as soon as practicable. |
| 2. | If unable to resolve the issue to the satisfaction of all parties, record the details of the complaint on the Complaint Form and forward to the General Manager, or relevant Department Manager. | Complainant | Within 2 working days |
| 3. | Log complaint on the Complaints Register and provide written confirmation to the complainant of receipt of the complaint. | General Manager or relevant Department Manager | Within 24 hours of receiving Form |

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| 4. | Contact the complainant and discuss whether to pursue the issue. Organise a meeting if required to discuss the issue in further detail, and conduct investigation with all concerned parties. Where a learner or client is under 18, the parent/guardian of a learner or client may be contacted to inform them of the situation and explain the process. | General Manager or relevant Department Manager | Within 10 working days of receiving Form |
| 5. | Record information about the complaint (or appeal) and recommendations on the Complaint Form. | General Manager or relevant Department Manager | Within 24 hours |
| 6. | Provide outcome to all parties. | General Manager or relevant Department Manager | Within 5 working days |
| 7. | Scan and save the Form. | RTO administration | Within 5 working days of step 6 |
| 8. | <p>If the complainant is not satisfied with the way the complaint was handled or the outcome of the complaint process, the complainant may refer the complaint to the relevant Senior Management Team, or an independent agency/third party. All additional documentation must be saved with the original complaint.</p> <p>NOTE: For learners accessing Smart and Skilled funding who are unhappy with MP's response, there is an option to escalate the matter to STS as per the Smart and Skilled Consumer Protection System.</p> | Complainant and General Manager or relevant Department Manager | Within 10 working days of step 6 |
| 9. | Review the complaint at the relevant Staff Meeting. | General Manager or relevant Department Manager and staff | Next scheduled Staff Meeting |
| 10. | <p>If the above process is not successful in resolving the complaint, or the complainant is still dissatisfied with the decision, the complaint will be externally and independently reviewed.</p> <p>NOTE:</p> <ul style="list-style-type: none"> i. For learners accessing Smart and Skilled funding who are unhappy with MP's response, there is an option to escalate the matter to STS as per the Smart and Skilled Consumer Protection System. ii. Complaints about the General Manager or the relevant Senior Management Team will automatically be dealt with by the external and independent body in the first instance of the complaint being received. | General Manager or relevant Department Manager and staff | Within 15 working days |

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| 11. | All parties notified of the outcome | General Manager or relevant Department Manager | Within 10 working days of step 10 |
| 12. | Complaints which cannot be resolved internally may be referred to the Australian Skills Quality Authority (ASQA) | Complainant | Ongoing |

How MP will respond to a complaint or appeal

MP:

- Regularly updates the complainant on the progress of their complaint or appeal; and
- Informs the complainant in writing if it considers that more than 60 calendar days will be required to process and finalise the complaint or appeal, including reasons why more than 60 calendar days are required.
- Ensures the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process.
- Resolves the matter as soon as practicable.

Independent Review

If the complainant is not satisfied with the outcome of a complaint or appeal, the complainant may refer the complaint or appeal to the Senior Management Team, or an independent agency/third party.

NOTE: For learners accessing Smart and Skilled funding who are unhappy with MP’s response, there is an option to escalate the matter to STS as per the Smart and Skilled Consumer Protection System.

Records and Review

MP securely maintains records of all complaints and appeals and their outcomes. Only authorised individuals have access to complaints and appeals records.

Informal complaints and appeals

MP’s aim to continually improve its processes and practices to ensure it is delivering a high-quality service. MP uses an informal complaints and appeals process to look for issues, patterns, and concerns.

An informal complaint could include behaviour or decisions that are:

- Out of character for the person about whom the complaint has been made.
- One-off
- Not entrenched
- Low risk of harm/impact on other people

An informal complaint or appeal can present in a variety of ways. It could include:

- Verbal comment or e-mail to trainer/assessor about the training, assessing and/or recourses.
- Comments on the mid-course questionnaire
- Comments and/or score on the end of course LQ questionnaire

Procedure to make a complaint or appeal (Steps and actions)

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| | Procedures | Responsibilities | Timeline |
|--|------------|------------------|----------|

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| 1 | MP Staff/Trainer and Assessor MUST inform the General Manager or Department Manager of the informal complaint and discuss it within the weekly//monthly meetings. | MP Staff/Trainer and Assessor | Within 10 working days |
| 2 | All informal complaints and appeals are to be placed in the Complaints and Appeals Register. | MP Staff/Trainer and Assessor | Within 5 working days |
| 3 | If the complaint is regarding another person. Complainants are encouraged to attempt to resolve the matter informally through discussion and negotiation. | Complainant | Within 30 days of occurrence. |
| 4 | Is still unresolved. MP staff must follow the formal complaints process | MP Staff/Trainer and Assessor | 5 Working days |

Associated documents

- Complaints and Appeal Form
- Complaints and Appeal Register