Complaints, Grievances and Appeals Policy & Procedure

SECTION 1 - INTRODUCTION

PURPOSE
To ensure that learners and stakeholders complaints are dealt with efficiently, effectively, transparently and fairly.

SCOPE
This policy applies to all staff and clients of Customised Training Pty Ltd.

LEGISLATIVE CONTEXT

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<thead>
<tr>
<th>Name</th>
<th>Location</th>
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<tr>
<td>VET Quality Framework</td>
<td><a href="http://www.asqa.gov.au">www.asqa.gov.au</a></td>
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<tr>
<td>Australian Qualifications Frameworks National Principles and Operational Guidelines for Recognition of Prior Learning</td>
<td><a href="http://www.aqf.edu.au">www.aqf.edu.au</a></td>
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SECTION 2 - POLICY
At Customised Training we aim to foster good relations amongst students, employees and management. We acknowledge that the enjoyment experienced in learning is reflected in how well everyone works and studies and how well students relate to trainers and administrators. We do this by striving for loyalty, honesty and integrity in all our training and interaction with staff, students and clients.

We also acknowledge that problems can arise at Customised Training that may sometimes cause an employee or student to feel aggrieved. These problems can arise from the behaviour or decisions of trainers, administrators or management.

The purpose of this policy is to allow staff and students to have such problems, referred to as grievances, addressed in a timely and confidential manner. This can avoid the need for students to go outside the RTO for assistance.

What is a grievance?
A grievance can be about anything done, or not done, by trainers, administrators or management, which a staff member or student feels affects them unfairly or unjustly.

A grievance can also be about discrimination, harassment, or any other related decision or behaviour which is unfair, unjust or upsetting.
This grievance handling policy gives advice about what to do should a grievance occur and what will happen when a formal complaint is made.

**How will grievances be handled?**

If staff or students come forward with a grievance it will be treated as confidential. It is important that the complainant also maintain confidentiality in order to avoid idle gossip and the possibility of defamation proceedings.

If the staff member or student decides to go ahead and make a formal complaint, (see below) it will be taken seriously and investigated in an impartial manner. This may mean that the complainant, the person complained about, and any witnesses are interviewed. Again, confidentiality will be assured. No decision will be made until the investigation is complete.

Staff and students who come forward with a complaint, will not be treated unfairly or victimised as a result.

If a complaint is made against a staff member or another student, they must not be prejudged. They will have an opportunity to tell their side of the story. Each complaint will be dealt with in as short a time as is possible in the circumstances.

**What are the options if staff or students have a grievance?**

Speak to the person causing the problem. While this may not be appropriate in many cases, it may be the easiest way of resolving the issue. Discuss with them the behaviour, decision, actions, etc that were unfair, offensive, discriminatory etc. The person may have been totally unaware of the affect of their behaviour or decision. By speaking to them the person causing the problem has a chance to redress the situation.

**Students**

If the above action is not an option students should speak to the Training Development Manager. The Training Development Manager will discuss options available to address the situation. It may be acceptable to the complainant for the Training Development Manager to discuss the matter informally with the person who caused the grievance or alternatively the complainant may decide to make a formal complaint.

**Staff**

If staff are uncomfortable discussing their grievance with the person involved they should discuss the matter with their direct Manager (If the complaint is in regard to a direct Manager, staff should see the Managing Director). The direct Manager will discuss options available to address the situation. It may be acceptable to the complainant for the direct Manager to discuss the matter informally with the person who caused the grievance or alternatively the complainant may decide to make a formal complaint.
**Make a formal complaint**

If it is decided that a formal complaint be made, this can be done by putting the complaint in writing and reporting it to the Training Development Manager for students or for staff members to their direct Manager (If the complaint is in regard to a direct Manager, staff should see the Managing Director). The written complaint should contain a description of the incident(s), decision, behaviour in question, the time and date of the incident(s) etc, the names of any witnesses, complainants signature; and date of the complaint.

**The investigation**

Once a formal complaint is made, the matter will be investigated by the Training Development Manager (in the case of students) or the direct Manager (for staff). If the appropriate Manager feels that there is a reason why they should not conduct the investigation (eg, they may be a friend of the person complained about), then another senior manager will conduct the investigation.

The Training Development Manager, direct Manager or Managing Director will then interview the complainant, any witnesses, the person against whom the complaint is made, and that person's manager. The complainant and the person against whom the complaint is made may have a support person with them when the interview is being conducted.

If the complaint is substantiated, the appropriate action will be taken (see below).

If the complaint is unsubstantiated, the complainant will be given an explanation as to why that finding was made.

If the complaint is found to have been completely fabricated, appropriate disciplinary action may be taken against the complainant.

**What are the outcomes?**

If the investigation reveals that the complaint is a valid one, a number of actions may be taken, depending on the nature of the complaint. The person against whom the complaint is made may be required to give a written apology; he/she may be given a written warning, counseling, or be dismissed.

If the investigation is inconclusive, i.e. the complaint cannot be proved due to lack of evidence, Customised Training may nevertheless take a number of actions. These may include training of staff, and monitoring behaviour of all staff.

If the complaint is found to have been completely fabricated, appropriate action may be taken against the complainant, including counseling, a written apology to the person complained about, an official warning, or dismissal, depending on the seriousness of the allegations.
If the outcome is unsatisfactory to the trainee or student, they may contact the National Training Complaints Hotline on 1800 000 674.

SECTION 3 - PROCEDURE
All complaints are to be dealt with in a confidential and timely manner (within 14 days). In the case of students all complaints must be reported to the Training Development Manager whether verbal or written. Staff complaints must be directed to the staff members direct Manager. The Training Development Manager or direct Manager will register the complaint in the complaints folder held with the Compliance officer and electronically in the complaints register Z:\Management\Complaints and Appeals\Copy of Complaints Register.xls.

The Training Development Manager or direct Manager will formally acknowledge receipt of the complaint immediately by email or in writing to the complainant.

If necessary the Training Development Manager or direct Manager will arrange interviews with all parties concerned in an attempt to rectify the situation. These interviews will be clearly documented as will any phone conversations and all other communications.

If the complaint is resolved the outcome will be documented and placed in the complaints folder and the complaints register. If further steps are needed to resolve the complaint this will also be noted in the complaints folder and registered in the complaints register and followed up as soon as practical by the Training Development Manager or direct Manager.

The complainant will receive written notification of the outcome. A copy will be placed in the complaints resolution folder.

SUPPORTING DOCUMENTATION
- Complaint resolutions folder
- Complaints register