# Complaints and Appeals Policy and Procedure

1. **Policy**

Insert org name is required to have a policy and processes in place to manage and respond to allegations involving the conduct of staff, learners and third party training and assessment providers who provide services on behalf of insert org name.

This policy is based on providing and maintaining a workplace, alongside training and assessment services that are fair and reasonable and afford a forum where issues or inadequacies can be raised and resolved. This process provides opportunity for complaints to be recorded, acknowledged and dealt with in a fair, efficient and effective manner.

The object of this policy is to ensure that insert org name staff act in a professional manner at all times. This policy provides clients, staff and volunteers with a clear process to register a complaint. It ensures all parties involved are kept informed of the resulting actions and outcomes.

1. **Policy Statement**

Insert org name acknowledges all individuals’ right to lodge a complaint when they are dissatisfied with the training and /or other services or workplace experiences that they have been provided by insert org name.

Insert org name will ensure that all individuals have access to a fair and equitable process for expressing complaints, and that insert org name will manage the complaint with fairness and equity.

In doing so, insert org name has written procedures in place for collecting and managing complaints in a constructive and timely manner

1. ensures that these procedures are communicated to all staff, third party partners and clients
2. ensures that all necessary documentation and resources are in place to enable clients to submit a complaint
3. ensures that each complaint and its outcome is recorded in writing; and
4. ensures that customer complaints and their outcomes are fed into continuous improvement initiatives.
5. **Policy Principles**

##  Principles

In managing complaints, insert org name will ensure that:

1. The principles of natural justice and procedural fairness are adopted at every stage of

 the complaint process

1. The complaints policy is publicly available
2. There is a procedure for making a complaint
3. Complaints are treated seriously and dealt with promptly, impartially, sensitively and confidentially
4. Complaints will be resolved on an individual case basis, as they arise
5. All clients have the right to express a concern or problem and/or lodge a complaint if they are dissatisfied with the training and assessment services that they have been provided (including through a third party) or the behavioural conduct of another learner
6. All complaints are acknowledged in writing and finalised as soon as practicable
7. The complaint resolution procedure is based on the understanding that no action will be taken without consulting the complainant and respondent, using a process of discussion, cooperation and conciliation
8. The rights of the complainant and respondent will be acknowledged and protected throughout the complaint resolution process, including the conduct of separate interviews initially
9. In the interest of confidentiality, the number of people involved in the resolution process will be kept to a minimum
10. Final decisions will be made by the Manager/Coordinator; insert org name or an independent party to the complaint
11. The complaint resolution procedure emphasises mediation and education while acknowledging that in some instances formal procedures and disciplinary action may be required
12. If the complaints process fails to resolve the complaint or the complainant is not satisfied with the outcome of the complaint the matter will be referred to an independent third party for review, at the request of the complainant. All costs incurred for the third party review will be advised to the complainant
13. If the complaint will take in excess of 60 calendar days to finalise insert org name will inform the complainant in writing providing the reasons why more than 60 calendar days are required. The complainant will also be provided with regular updates on the progress of the complaint
14. Victimisation of complainants, respondents or anyone one else involved in the complaint resolution process will not be tolerated
15. All complaints will be handled as Staff-In-Confidence and will not affect or bias the progress of the client in any current of future training.

## 3.2 Types of Complaints

A complaint may include allegations involving the conduct of:

1. Insert org name; its trainers, assessors or other staff, volunteers; or
2. A third party providing services on behalf of insert org name, its

 trainers, assessors or other staff; or

1. A learner of insert org name

# Insert org name Responsibilities

The Manager/Coordinator of insert org name is the Complaints Resolution Officer. The Manager/Coordinator may delegate responsibility for the resolution of the complaint if necessary.

Details concerning the scope of the Complaints Policy are to be clearly displayed throughout the organisation and contained within the Staff, Committee and Volunteer Induction Process, Student Handbook, Staff Handbook, Volunteer Handbook and insert org name website.

# Process

## 5.1 Complaints

If an individual/s has a complaint, they are encouraged to speak immediately with the tutor, supervisor or Centre/House Administration staff member to resolve the issue. If the complainant is not satisfied that the issue has been resolved they will be asked to complete a Complaints Form, to lodge a formal complaint. Insert org name will then investigate the complaint and advise the complainant of the outcome.

If the complainant is not satisfied with the outcome they may write to the Manager/Coordinator, setting out in detail the issue of concern. This may lead to occasions where an industry-training representative may be invited to act as an objective party in order to negotiate a satisfactory resolution.

## 5.2 Complaints Process

All complaints shall follow the below process:

1. Complaints are to be made in writing within 7 calendar days of the incident using the Complaints Form
2. A submitted complaint form will constitute a formal complaint from the client. Further detail of the complaint can be provided by the client verbally
3. The Manager/Coordinator; insert org name must be informed of receipt of all complaints immediately
4. The Manager/Coordinator; insert org name may delegate responsibility for the resolution of the complaint
5. In the case of a complaint, the Manager/Coordinator; insert org name will initiate a transparent, participative investigation to identify the issues
6. Complaints will be processed in accordance with the Complaints flowchart - Appendix A.
7. Complaints, where possible, are to be resolved within 14 calendar days of the initial application
8. In all cases the final conclusion will be assessed by the Manager/Coordinator; insert org name
9. The individual/s will be advised in writing of the outcome of their complaint, within seven (7) days of resolution
10. If the outcome is not to the satisfaction of the individual/s, they may seek an appointment with the Manager/Coordinator; insert org name
11. If the individual/s is/are not satisfied with the decision they have the option to seek outside assistance to pursue the complaint.

# Access & Equity

Insert org name Access & Equity Policy applies. (See Access & Equity Policy)

# Records Management

Records of all complaints and their outcomes are maintained securely.

Records of complaints include:

1. How the complaint was dealt with
2. The outcome of the complaint
3. The timeframes for resolution of the complaint
4. The potential causes of the complaint; and
5. The steps taken to resolve the complaint.

All documentation from Refund processes are maintained in accordance with Records Management Policy. (See Records Management Policy)

# Monitoring and Improvement

All complaints practices are monitored by the Manager/Coordinator; insert org name and will be discussed at Committee of Management meetings, Review Meetings with staff, tutors and teachers with areas for improvement identified and acted upon. (See Continuous Improvement Policy).

Legislative Framework

Occupational Health and Safety Act 2004 Victoria

Occupational Health and Safety Regulations 2017 (Vic)

Related Documents

Access and Equity Policy Code of Conduct Policy

Bullying Discrimination and Harassment Policy

Continuous Improvement Policy

Protected Disclosures Policy

Records Management Policy

Getting Started with Workplace Health & Safety, Introductory Guide, WorkSafe Victoria

Incident/Hazard Report

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| --- | --- | --- | --- |
| Policy/Procedure name | Complaints and Appeals Policy  | Version | 1 |
| Policy number | Insert Policy Number | Date developed | Insert Month/Year |
| Drafted by  | Manager/Coordinator | Approved by CoM | Insert Month/Year |
| Responsible person | Manager/Coordinator | Scheduled review date | Insert Month/Year |
| Policy Area | Operational |