

## COMPLAINTS AND APPEALS POLICY

Version No.	V4.2
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### POLICY

The Complaints and Appeals Policy and related procedures are designed to ensure that National College Australia responds effectively to individual cases of dissatisfaction. This policy outlines the approach to managing complaints and appeals and ensures that all clients, learners, employers and other stakeholders are aware of the steps to take to have their dissatisfaction addressed appropriately.

Complaints are the expression of the dissatisfaction with the quality or any aspect of the business operations and service, including nuisances, discrimination or similar against another person, inclusive of participants, staff and contractors.

### PURPOSE

National College Australia strives to promote harmony in the workplace and create a working environment that supports the physical, mental and emotional well-being of its staff. The purpose of the College's Complaints and Appeals Procedure is to establish a consistent and fair approach in handling complaints about academic and non-academic matters across the entire operation and in all locations of service provision.

### SCOPE

National College Australia's complaints policy is to manage and respond to allegations involving the conduct of:

- a. the RTO, its Facilitators, Assessors or other staff
- b. a third party providing services on the RTO's behalf, its Facilitators, Assessors or other staff  
or
- c. a learner of the RTO

### RELEVANT LEGISLATION

National College Australia complies with the relevant Standards for Registered Training Organisation's (RTO) 2015, specifically clause 6.1 – 6.6.

### PROCEDURAL GUIDELINES

All complaints or appeals are treated in confidence and will only be used to resolve the complaint/appeal and only disclosed to people who are related to the complaint/appeal. If National College Australia needs to provide information to any other person or parties, we will obtain written permission before disclosing the information.

Clients have the right to lodge a formal complaint if they are dissatisfied with the College's service in any way. Note: if the complaint is from a learner who is appealing an assessment outcome, refer to *appealing an assessment outcome*.

The College must take on a customer-centric approach when dealing with complaints. The first thing a staff member must do if they receive a complaint is to listen to the person's grievance, tell them you understand, show empathy and give them time to express their concerns. Always attempt to resolve the issue immediately. It is up to the staff member to determine what a 'day to day issue' is and what must go through the formal complaints process. Discretion should be used but note that a complaint is an expression of dissatisfaction which will probably affect the client's

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experience with the College and their opinion about the quality of our services. A complaint is sometimes also when the person feels they have tried everything and simply does not know what else to do in solving a problem.

Complaints must be dealt with in a professional, open, timely and fair manner without exception.

The root cause of any complaint or appeal will be included in the continuous improvement processes of the College, and monitored by the Quality and Compliance Manager.

*For the purposes of this policy, the term 'client' refers refer to learners, employer representatives, a member of the public, and government agency representatives*

### DEFINITIONS

**Complaint** – non-academic or academic matters relating to issues such as the general work environment, individuals, misconduct, harassment, services, etc.

**Appeal** – A request to review assessment decisions.

**Please Note:** During the implementation of the complaints or appeals procedure, normal work will continue and learners must continue to attend classes.

Complaints and appeals may be made in relation to any of National College Australia's services, activities and decisions such as:

- The enrolment, and induction process
- The quality of education provided
- Training and assessment matters, including learner progress, assessment, curriculum and awards in a course of study
- Access to personal records
- Decisions made by National College Australia
- The way someone has been treated.

### PROCEDURES

All complaints will be dealt with sensitivity and confidentiality. They will be handled in a professional, timely manner that is fair and provides transparency to all parties.

National College Australia maintains a supportive and fair environment allowing students to appeal assessment outcomes and recognition decisions. All new learners are advised of their right to appeal an assessment outcome in the Learner Handbook, which they receive as part of their induction package.

The College as employer may be represented by an industrial organisation of employers or the employer's chosen representative and the employee may be represented by an industrial organisation of employees or the employee's chosen representative.

The complainant is also able to be represented/supported throughout the process at all meetings, by bringing along a person of their choice (third party) and is encouraged to do so. This can be a person with a personal relationship such as Partner, Mother, Father or union representative, etc.

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Once a complaint has been lodged, an investigation will be conducted to determine the facts involved in the matter. The person whom the complaint has been made against will be given details of the complaint and have an opportunity to respond to the matter.

An investigation may include face to face meetings, telephone conversations, a review of documentation and any other action item as required.

Complainants will have access to records kept in regards to the matter during the investigation and for a minimum of two (2) years after the matter has been closed. Files will be handled in accordance with the relevant privacy legislation at all times.

From time to time, this and other policies will be reinforced during internal professional development activities.

### PROCEDURE FOR APPEALING AN ASSESSMENT OUTCOME

Appeals must be submitted within two (2) weeks of the assessment outcome given to a learner

<b>Step 1</b>	The learner is provided with an <i>Assessment Appeals Form</i>				
<b>Step 2</b>	The Form is returned to the Head of Operational Delivery				
<b>Step 3</b>	The Head of Operations will advise the original Assessor of the appeal raised by the student				
<b>Step 4</b>	The Head of Operations will assign a second assessor to review the assessment task(s) and request an outcome within seven (7) days				
<b>Step 5</b>	The Head of Operations will advise the learner of the outcome in writing within seven (7) - ten (10) days from the date on the <i>Assessment Appeals Form</i> .				
<b>Step 6</b>	If the learner is not satisfied with the outcome, the matter will be escalated to the Principal Executive Officer (PEO). The Head of Operations will provide a debrief of the matter.				
<b>Step 7</b>	Under the instruction of the PEO, the Head of Operations will arrange for the assessment(s) to be re-assessed by a third Assessor and request an outcome within seven (7) days.				
<b>Step 8</b>	The PEO will advise the learner of the outcome in writing within a further seven (7) - ten (10) days.				
<b>Step 9</b>	Where NCA considers more than 60 calendar days are required to process and finalise the complaint or appeal, NCA will: <ul style="list-style-type: none"> <li>• Inform the complainant or appellant in writing, including reasons why more than 60 calendar days are required, and</li> <li>• Regularly updates the complainant or appellant on the progress of the matter</li> </ul>				
<b>Step 10</b>	If the remains unsatisfied with the outcome, he/she will be advised of their right to take the matter to external review, which can include the following parties: <table border="1" data-bbox="341 1711 1429 1848"> <tr> <td>NSW Ombudsman <a href="http://www.ombo.nsw.gov.au">www.ombo.nsw.gov.au</a></td> <td>Australian Skills Quality Authority (ASQA) <a href="http://www.asqa.gov.au/complaints/">http://www.asqa.gov.au/complaints/</a></td> </tr> <tr> <td>Ombudsman Tasmania <a href="http://www.ombudsman.tas.gov.au/">http://www.ombudsman.tas.gov.au/</a></td> <td>Phone: 1300 701 801</td> </tr> </table>	NSW Ombudsman <a href="http://www.ombo.nsw.gov.au">www.ombo.nsw.gov.au</a>	Australian Skills Quality Authority (ASQA) <a href="http://www.asqa.gov.au/complaints/">http://www.asqa.gov.au/complaints/</a>	Ombudsman Tasmania <a href="http://www.ombudsman.tas.gov.au/">http://www.ombudsman.tas.gov.au/</a>	Phone: 1300 701 801
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### PROCEDURE FOR GENERAL COMPLAINTS

#### For academic and non-academic matters regarding external parties

<b>Step 1</b>	The person receiving the complaint completes a <i>Client Complaint Form</i> and forwards it to the Head of Operations for investigation.				
<b>Step 2</b>	The Head of Operations will inform the learner their complaint has been received within five (5) working days.				
<b>Step 3</b>	<p>The Head of Operations will investigate the matter with the aim of seeking a resolution. If the complainant is a current student, the Head of Operations will discuss the matter with the Facilitator/Assessor and devise an action plan and/or reach a resolution.</p> <p>This may take up to 20 days to ensure a thorough investigation but it will be conducted as quickly as possible.</p> <p>The complainant will be advised of the progress and/or outcome in writing within seven (7) days. The final outcome will be advised within fourteen (14) working days. The matter is recorded in the <i>Client Complaint Register</i>, and monitored by the Quality &amp; Compliance Manager.</p> <p><i>If the matter is particularly complex then it will be escalated to the PEO which may take longer than the 14 days.</i></p>				
<b>Step 4</b>	If the complainant is not satisfied with the outcome, the matter will be referred to the Principal Executive Officer (PEO) who will further investigate the issue and provide a written response within a further seven (7) days.				
<b>Step 5</b>	<p>Where NCA considers more than 60 calendar days are required to process and finalise the complaint or appeal, NCA will:</p> <ul style="list-style-type: none"> <li>• Inform the complainant or appellant in writing, including reasons why more than 60 calendar days are required, and</li> <li>• Regularly updates the complainant or appellant on the progress of the matter</li> </ul>				
<b>Step 6</b>	<p>If the complainant remains unsatisfied with the College's resolutions, he/she will be advised of their right to take the matter to external review, which can include the following parties:</p> <table border="1" data-bbox="332 1476 1430 1619"> <tr> <td>NSW Ombudsman <a href="http://www.ombo.nsw.gov.au">www.ombo.nsw.gov.au</a></td> <td>Australian Skills Quality Authority (ASQA) <a href="http://www.asqa.gov.au/complaints/">http://www.asqa.gov.au/complaints/</a></td> </tr> <tr> <td>Ombudsman Tasmania <a href="http://www.ombudsman.tas.gov.au/">http://www.ombudsman.tas.gov.au/</a></td> <td>Phone: 1300 701 801</td> </tr> </table>	NSW Ombudsman <a href="http://www.ombo.nsw.gov.au">www.ombo.nsw.gov.au</a>	Australian Skills Quality Authority (ASQA) <a href="http://www.asqa.gov.au/complaints/">http://www.asqa.gov.au/complaints/</a>	Ombudsman Tasmania <a href="http://www.ombudsman.tas.gov.au/">http://www.ombudsman.tas.gov.au/</a>	Phone: 1300 701 801
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<b>Step 7</b>	<p>NCA will securely maintain records of all complaints and appeals and their outcomes, and identify potential causes of complaints and appeals and take appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.</p> <p>The Client Complaint Register will be updated during the process and with the final resolution.</p> <p>NCA will ensure the complaints and appeals policy is publically available, on NCA's website.</p> <p>All complaints will be reviewed and any actions resulting in changes to college systems and procedures will be discussed at management meetings and/or facilitator meetings and implemented as part of NCA's continuous improvement activities.</p>				

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### For non-academic matters regarding internal parties (staff)

<b>Step 1</b>	<p>Discuss the issue with the immediate manager. Exercise goodwill and maintain professionalism in all attempts to resolve conflicts. The process must be fair, transparent and efficient.</p> <p>Where necessary, the manager will arrange a formal meeting to resolve the issue to everyone's satisfaction. An <i>Employee Counselling Record</i> will be completed as a record of the meeting. Either party may request the presence of a third party at the meeting.</p> <p>Timeframes for a review of the situation must be set and recorded on the form. The initial review period should be within seven (7) – fourteen (14) days. It is the manager's responsibility to conduct the follow-up review and sign off on the record once it has been closed.</p>
<b>Step 2</b>	<p>If the matter is not resolved by the review date, either party may approach the Principal Executive Officer who will investigate the issue. The PEO may meet with both parties together or individually. A second <i>Employee Counselling Record</i> will be completed with dates for a review.</p> <p>The review period should be within seven (7) – fourteen (14) days. The PEO will lead the review and provide a written response to both parties.</p>

Records will include the *Employee Counselling Record* and it may include any other documentation/items used as part of the investigation. All records will be kept in the relevant staff file(s).

### VERSION HISTORY

Date	Document Version	Document Revision History	Author/Reviser
23.11.2016	V3.0	Template and content revised	Quality Coordinator
30.5.17	V4.0	Logo and style updated	Quality Coordinator
3.7.17	V4.1	Job titles amended	Q&C Manager
11.9.18	V4.2	Logo updated	Q&C Manager