

Manage Compliments, Complaints and Appeals



Purpose

This policy and procedure has been developed to ensure that BRACE Education, Training and Employment has a system in place to ensure that they;

- Maintain accurate documentation
- Value the process as a means of continual improvement of service delivery
- Maintain fairness and equity regarding the complaint
- Follow relevant head contractor/external bodies' guidelines.

Reference

- ASQA – Standards for Registered Training Organisations (RTOs) 2015 Manage complaints and appeals (Clause 6.1 – 6.6)
- Skills First Victorian Funding Contract

Authority

The General Manager Education and NDCO, Community Solutions Group is responsible for implementing and ensuring that this procedure is adhered to.

When

Upon submission of a complaint or appeal.

Definitions

ACCC meaning the Australian Competition and Consumer Commission (ACCC)

Appeal means a request for a decision made by BRACE to be reviewed

Complaint means a person's formal expression of dissatisfaction with any product or service provided by BRACE.

RiskMan is the electronic incident management system BRACE use for reporting of customer feedback which consist of compliments, complaints and suggestions/queries/concerns. RiskMan can be accessed:

- Via the CSG intranet platforms
- Via the intranet - <https://riskman.endeavour.com.au/>

Who is a customer?

A customer is someone who received a service or support from BRACE including eligible participants, employers, host organisations, support services.

What is a compliment ?

A compliment is where someone wants to congratulate or praise someone.

What is a complaint ?

Manage Compliments, Complaints and Appeals



Is an expression of dissatisfaction made to or about BRACE, related to its products, services and staff where a response or resolution is explicitly expected to assist the parties to move forward or is legally required.

What is a suggestion/query/concern?

Is where a person has observed or noticed something that they perceive is worth sharing with BRACE. It is neither negative nor positive however is worthwhile investigating as it could improve our service.

When does a Compliant turn into an incident?

A compliant turns into an incident when there is even a remote chance that someone could be harmed either physically or emotionally. It could be staff, people in or around the area of the person making the complaint.

What is an appeal?

An appeal is requested by a customer (including students to review a decision that has been made. For example, this may be include student assessment outcomes.

Informal Complaints

1. BRACE provides all students information about the complaints and appeals process through the course induction, the BRACE website and it is also available in the Student Handbook.
2. Complaints can be made in relation to BRACE services and activities such as:
 - the application and enrolment process;
 - marketing information;
 - the quality of training and assessment provided;
 - training and assessment matters, including student progress, student support and assessment requirements;
 - the way someone has been treated;
 - the actions of another student.
3. Where possible all non-formal attempts shall be made to resolve the complaint. BRACE encourages open communication and an environment of trust. Therefore, any student with a complaint is encouraged to raise the matter directly with the other party concerned to attempt to resolve the issue mutually or they can contact the Program Manager.
4. Advice, discussions and general mediation may take place in relation to the issue and complainant/student complaint.

Manage Compliments, Complaints and Appeals



5. The Program Manager will note the informal complaint on the Complaints and Appeals Register accordingly. The Program Manager will determine and ensure that the appropriate action will be taken if necessary.
6. Any staff member can be involved in this informal process to resolve issues but if the student wishes to place a formal complaint, then the process below must be followed.

Formal Complaints

1. Any student, potential student and host employers may submit a formal complaint to BRACE with the reasonable expectation that all complaints will be treated fairly with integrity and privacy. There is no cost for the complaints process. A complaint may have a direct connection to:
 - a. BRACE, its trainers/ assessors and other staff;
 - b. Any student or client of BRACE
2. A student and host employers can submit a formal complaint by completing the 'Complaints and Appeals Form' located BRACE' website or they can obtain a copy by calling BRACE on 03 9781 3388.
3. All formal complaints must be submitted to the Program Manager and contain as many details as possible:
 - a. Date complaint was submitted;
 - b. Name of complainant;
 - c. Nature of complaint;
 - d. Date of the event which led to the complaint;
 - e. Attachments (if applicable).
4. Once a complaint has been received, the information will be inserted into RiskMan which is monitored by the Program Manager and until resolved. The information to be inserted and retained on the register includes:
 - a. Date the complaint was submitted;
 - b. Name of complainant;
 - c. Description of complaint;
 - d. Determined resolution;
 - e. Date of resolution.
5. Once a complaint has been logged in RiskMan, the General Manager Education and NDCO, Community Solutions Group will be notified of the complaint and will be provided with all relevant documentation related to the matter.
6. The General Manager Education and NDCO, Community Solutions Group and Program Manager will begin assessing the complaint within 10 working days and will confer and decide on the appropriate action in order to ensure a successful resolution is achieved.
7. Where applicable, the student will have the opportunity to present their case at no cost, and be accompanied and assisted by a support person if necessary.

Manage Compliments, Complaints and Appeals



8. The relevant staff member/s and/or trainer/assessors will be informed on the complaint and they will have the opportunity to present their side of the matter.
9. Once a decision has been reached, the Program Manager will notify all of the relevant parties involved of the decision and outcome which is to be concluded in writing within 15 working days from the date the complaint was first received. The written notification will include the reason for the outcome and the student will be informed that they have the right to appeal the decision made by BRACE. Students will be referred to the appeals procedure as outlined below.
10. The Program Manager will ensure that BRACE will act immediately on any substantiated complaint. If the internal or external complaint handling or appeal process results in a decision that supports the student, BRACE must immediately implement any decision and/or corrective and preventative action that is required and advise the student of the outcome.
11. The outcome will be placed on RiskMan and copies of relevant documentation will be stored in the Student Management System and in the Student's File.

Formal Appeals

1. If the student is not satisfied with the outcome from the formal complaint, then they have the right to appeal the decision made by BRACE where reasonable grounds can be established.
2. An appeal is a request for a decision made by BRACE to be reviewed. Decisions may have been about:
 - Course admissions;
 - Deferral, suspension or cancellation decisions made in relation to a student's enrolment;
 - Response to a complaint;
 - Assessment outcomes/results;
 - other general decisions made by BRACE
3. To activate the appeals process, the student must submit an 'appeal application' by completing the 'Complaints and Appeals Form' located on BRACE' website or they can obtain a copy by calling BRACE on 03 9781 3388.
4. The student is required to provide a summary of the grounds that the appeal is based on and the reason why they feel that initial decision made is unfair within 10 working days from the time they received the outcome for their initial complaint. Help and support with this process can be gained from the Program Manager.
5. Once the appeal has been received, the General Manager Education and NDCO, Community Solutions Group and Program Manager will determine

Manage Compliments, Complaints and Appeals



the validity of the appeal and where necessary, organise a meeting with all parties involved in the matter and attempt to seek resolution where appropriate.

6. The process for all formally lodged appeals will begin within 10 working days from the date that the appeal was lodged.
7. The Program Manager will ensure that BRACE acts on any substantiated appeal immediately.
8. The General Manager Education and NDCO, Community Solutions Group and Program Manager will review the initial documentation of the complaint and shall make a decision based on the grounds of the appeal.
9. The student will be notified in writing within 20 working days from the initial lodgement of the appeal of the outcome with reasons for the decision. RiskMan will be updated. The student will also be provided the option of activating the external appeals process if they are not satisfied with the outcome.

Informal Assessment Appeals

1. If a student wishes to appeal an assessment, they are required to notify their assessor in the first instance. Where appropriate, the assessor may decide to re-assess the student to ensure a fair and equitable decision is made. The assessor will be required to complete a written report regarding the re-assessment outlining the reasons why assessment was or was not granted.

Formal Assessment Appeals

1. If the informal assessment appeals process is still not to the student's satisfaction, the individual can formally lodge an appeal by completing and submitting the 'Complaints and Appeals Form' to the Program Manager which can be downloaded from BRACE' website or the student can obtain a copy by ringing the office 03 9781 3388.
2. Once the application has been received, the Program Manager will document the information in the Complaints and Appeals Register and obtain details from the assessor and any other parties involved.
3. A decision will be made regarding the appeal which will either indicate that the assessment decision remains as is or, details of a possible re-assessment by another assessor appointed by BRACE.
4. The student will be notified in writing within 20 working days from the initial lodgement of their appeal regarding the outcome with reasons for the decisions, and RiskMan updated. The student will also be provided the option of activating the external appeals process if they are not satisfied with the outcome

External Appeals

1. If the student is still dissatisfied regarding the outcome that BRACE has provided, they may wish to refer the matter to an external/independent/third party mediator at their own expense.
2. Appeals can relate to assessment decisions and they can also relate to other matters such as the decision to exclude a student from a training program. Students are encouraged to resolve complaints and appeals through the BRACE mechanism prior to consulting external parties.
3. If the student is not satisfied by the complaints and appeal outcome, they can contact:

Dispute Settlement Centre of Victoria (DSCV)
4/456 Lonsdale Street
Melbourne Vic 3000
Telephone: 03 9603 8370
Toll free: 1800 658 528
Email: dscv@justice.vic.gov.au

This final stage will be addressed within 30 days.

Outcomes from the DSCV mediation in relation to a grievance will be implemented immediately.

Extensions

If more than 60 calendar days are required to process and finalise the complaint or appeal, the Program Manager will inform the individual in writing, including reasons why more than 60 days are required and regularly update the individual on the progress of the matter.

In most cases this would not be necessary as the timeframes identified in the above processes keep well under 60 days. It may need to happen if an appeal was to reach an external stage.

Record Management

1. *Electronic records:*
 - a. Electronic records are safe from loss as the IT/Service Desk performs electronic backups of server information at least once a week.
 - b. Confidentiality is maintained as limited staff have access to the database (password protected), and all student / client information is only released as per BRACE' privacy policy. All staff employed by BRACE will be required to apply themselves to the following written procedures and safeguard confidential and personal information according to the Privacy and Protection of Personal Information Act 1998
2. *Hard copy records:*

Manage Compliments, Complaints and Appeals



- a. Confidentiality is maintained – matters relating to a complaint or appeal are stored on the SMS where only the General Manager Education and NDCO, Community Solutions Group and Program Manager have access to
- b. Contents of files are not discarded unless the state and national storage requirements for retention, archiving and retrieval of information have been met.

Corrective Action

In the instance that BRACE receives complaints and or appeals which demonstrate a pattern or trend, the General Manager Education and NDCO, Community Solutions Group and Program Manager will take the appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.

The form of corrective action applied will be determined on a case by case basis where there are continuing trends and patterns.

Clause 6.6. ~ Where the RTO is an employer or a volunteer organisation whose students solely consist of its employees or members, does not charge fees for the training and/or assessment, and does not have in place a specific complaints and appeals policy in accordance with Clauses 6.1 & 6.2, the organisation has a complaints and appeals policy which is sufficiently broad to cover the services provided by the RTO.

Clause 6.6 is not applicable to BRACE.

Relevant Records

- Published policy on BRACE' website
- Student Handbook
- Complaints/Appeals application form