

POLICY

Complaints and Appeals

Purpose of Policy

This policy and procedure is to provide clear and practical guidelines to ensure that complaints and appeals of all stakeholders (as described below) can be resolved in accordance with the principles of natural justice.

Scope

This policy applies to all staff members (including volunteers), parents/carers, employers, students, apprentices and any entity in a third party arrangement with Tec-NQ. For the purpose of this policy and procedure they will collectively be referred to as "Stakeholders".

Policy Statement

Tec-NQ believes that any Stakeholder who has a complaint or appeal, has the right to raise the complaint or appeal and expect that every effort will be made to resolve it in accordance with this policy, without prejudice or fear of reprisal or victimisation. Stakeholders have the right to present the complaint or appeal formally and in writing.

Complaints and Appeals include but are not restricted to matters of concern to a student relating to training delivery and assessment; the quality of the training; student support and materials; discrimination; and sexual harassment.

Tec-NQ will manage all complaints and appeals fairly, equitably and efficiently as possible, applying principles of natural justice to ensure procedural fairness. This includes:

- Decisions and processes free from bias.
- All stakeholders / parties have the right to be heard.
- The respondent has a right to know of the allegations against them
- All stakeholders / parties are told the decision and the reasons for that decision.

Tec-NQ will encourage the stakeholders / parties to approach the complaint or appeal with an open mind and to resolve problems through discussion and conciliation. Where a complaint or appeal cannot be resolved through discussion and conciliation, Tec-NQ acknowledges the need for an appropriate external and independent person to mediate between the parties. The parties will be given the opportunity to formally present their case to the independent person.

Confidentiality will be maintained throughout the process of making and resolving complaints. Tec-NQ seeks to protect the rights and privacy of all involved and to facilitate the return to a comfortable and productive learning environment.

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Legislation and Relevant Standards

- Anti-Discrimination Act 1991 (QLD);
- Racial Discrimination Act 1975 (Cth);
- Sex Discrimination Act 1984 (Cth);
- Disability Discrimination Act 1992 (Cth);
- Privacy Act 1988 (Cth); and
- Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth).
- Standards for Registered Training Organisations (RTOs) 2015: 6

Related Documents

- Continuous Improvement Register
- Child Protection Policy and Procedure
- Privacy Policy and Procedure
- Equal Opportunity Policy and Procedure
- Equal Treatment Policy and Procedure

Publication

This policy is available on the Tec-NQ Document Management System (DMS), on the Tec-NQ Website and within the Student Handbook.

Policy Release Details

Date of Policy Release: 7/2/2017

Review Date: 7/2/2018

Recommended by: **Compliance Committee**

Approved by: **EMT**

Signature:

Date: 7/2/2017

Complaints and Appeals

Should a Stakeholder have a complaint or appeal, the following steps are to be followed:

1. Stakeholder should discuss the issue / complaint with the person involved to try and resolve it verbally.
2. If no resolution is reached, the stakeholder should discuss the issue / complaint with his / her trainer or relevant Tec-NQ staff member to see if it can be resolved.
3. If still no resolution the stakeholder should put the following information relating to the complaint or appeal in writing:
 - description of the complaint or appeal;
 - state whether they wish to formally present their case;
 - steps taken to deal with the complaint or appeal;
 - what they would like to happen to fix the problem and prevent it from happening again.
4. The stakeholder brings the complaint or appeal to the attention of the trainer or relevant Tec-NQ staff member.
5. If the complaint or appeal is not dealt with to the stakeholder's satisfaction, she/he may bring it to the attention of the Operations Manager. The Operations Manager will either deal with the issue personally or arrange for it to be dealt with by a management representative. This process must commence within 48 hours from the time the Operations Manager receives written notification from the stakeholder about their dissatisfaction to the response received from the trainer or relevant Tec-NQ staff member and a response / resolution must be presented within 30 days.
6. Should the issue still not be resolved to the stakeholder's satisfaction, Tec-NQ will make arrangements for an independent third party to resolve the issue and outline any costs that may be involved with this to the stakeholder. The student will be given the opportunity to formally present his or her case. The time frame for this process may vary but should take no longer than 14 days.
7. All stakeholder / parties involved will receive a written statement of the outcomes, including reasons for the decision within the 14 day period. If the process is taking longer than 60 days from the complaint or appeal being received the stakeholder will be notified in writing of the reason for the delay and kept informed about all progress.
8. If the stakeholder is still not happy with external mediation, he / she may take his / her complaint to the VET Regulator.
9. All documentation relating to complaints or appeals should be archived for audit purposes within the Continuous Improvement Register and marked private.

The Tec-NQ Operations Manager will be person responsible for the implementation and maintenance of the policy.