

11.2.5 Complaints and Grievances Policy

Policy

VACSAL RTO recognises that students and stakeholders must be confident that any concern, complaint or grievance they have about the provision of training and assessment programs will be taken seriously. Complaints and/grievances will be dealt with in accordance with relevant legislation. This includes adhering to privacy and confidentiality rights and responsibilities.

VACSAL RTO upholds the principles outlined in the *AQTF National Guideline for Responding to Complaints about Vocational Education and Training Quality*, which underpins the process for responding to complaints about Vocational Education and Training (VET) quality.

Scope

This policy applies to all RTO students and stakeholders.

This policy does not apply to VACSAL RTO staff. Staff members who wish to pursue a grievance should refer to the Grievance and Dispute Resolution Policy in Section 3 of the VACSAL Policy and Procedure Manual: Personnel Matters.

There is a separate policy and procedure for Assessment Submission and Appeals. See 11.2.4.

Definition of a complaint

The complaint (complainant) refers to oral or written communication of dissatisfaction, which may be due to inappropriate or unprofessional conduct, unlawful harassment, issues concerning health and safety, RTO policy or decision and interpersonal conflicts. It is a way to raise your concerns against ill-treatment.

Definition of a grievance

A grievance (aggrieved) can be defined as any unfair or inappropriate act, treatment, rule or state, which the RTO's management can make good. Any type of complaint which is officially written and presented to the concerned authority to be redressed.

Procedure

Informal complaints handling procedure – minor concerns, feedback or grievances

- Students / stakeholders may express a concern or complaint in person, by phone, e-mail, text or in writing. All concerns and complaints will be recorded by an RTO staff member on an *RTO Concern and Complaint Record* that is stored in the Concerns and Complaints Folder. This folder is only accessed by VACSAL RTO staff.
- Students / stakeholders are encouraged to discuss any concerns they have about the provision of training and assessment programs and services.
- Concerns raised by students / stakeholders should be addressed and resolved in a timely manner to minimise escalation.
- In the first instance, concerns should be discussed with the relevant RTO staff member.

- The RTO staff member will discuss the concern and seek feedback on what the student / stakeholder would like done to address the concern.
- The RTO staff member will note any concerns discussed with a student on a *RTO Concern and Complaint Record* to be discussed at the next RTO staff meeting.
- The outcome is then followed up with the student / stakeholder. A copy of the completed *RTO Concern and Complaint Record* can be provided.
- If the concern has not been addressed to the student / stakeholder's satisfaction, the concern can be taken to the RTO and Learn Local Manager.
- If the concern is still not investigated and resolved to the student / stakeholder's satisfaction, the complainant may commence a formal complaints process.
- The RTO and Learn Local Manager will follow up with the individual within the following month to discuss whether the individual is satisfied with how the concern, feedback, complaint or grievance has been handled and whether there are any further issues related to the original concern.
- Informal complaints are summarised, reported and reviewed as part of the VACSAL RTO Continuous Improvement Strategy.

Formal complaints handling procedure

- A formal complaint must be submitted in writing by filling out an *RTO Complaint Form*.
- Formal complaints may include, but are not limited to:
 - concerns that have not been resolved using the informal complaints handling procedure
 - conduct of RTO staff
 - disagreement about assessment outcomes
 - unlawful activity – harassment, discrimination, bullying, vilification, slander
 - duty of care
 - misconduct
 - information privacy
 - unfair treatment.
- Students / stakeholders wanting to lodge a formal complaint can access relevant information from VACSAL RTO staff, the Student Handbook and VACSAL RTO website. The complaints process is included as part of the student enrolment and induction process.
- Students / stakeholders lodging a complaint may choose to remain anonymous.
- Students / stakeholders may use an advocate to address a complaint.
- A completed *RTO Complaint Form* is filed in the Concerns and Complaints Folder located in the RTO and Learn Local Manager's office.
- The RTO and Learn Local Manager is responsible for the storing and upkeep of the Concerns and Complaints Folder.
- It is the responsibility of the RTO and Learn Local Manager to investigate all complaints lodged and filed in the Concerns and Complaints Folder.
- Complaints and grievances are investigated to the level warranted by the severity of the complaint within two weeks of receiving the complaint.
- All parties to the complaint have appropriate access to any records about the complaint.

- In the event of a decision being made in response to a complaint, the RTO and Learn Local Manager will inform all relevant parties of the outcome of the investigation and any actions to be taken. This will involve a face-to-face meeting with the individual who made the complaint where the individual will receive a completed copy of the *RTO Complaint Form*.
- The RTO and Learn Local Manager will follow up with the individual within the following month to discuss whether the individual is satisfied with how the complaint has been handled and whether there are any further issues related to the original complaint.
- All complaints and grievances will be dealt with in accordance with VACSAL's Information Privacy Policy.
- Formal complaints and grievances are summarised, reported and reviewed as part of the VACSAL RTO Continuous Improvement Strategy, internal audit process and annual reporting cycle.

Appeal process

- Every effort will be made to investigate and resolve a complaint at VACSAL RTO. However, in the event of the complainant or aggrieved being dissatisfied with the outcome of the investigation the RTO and Learn Local Manager will explain further avenues for complaint or review outlined below.
 - The student / stakeholder may have the complaint or grievance outcome reviewed by VACSAL's CEO. The student / stakeholder must put their complaint in writing to the CEO. It is the responsibility of the RTO and Learn Local Manager to make sure the CEO also has a copy of the completed *RTO Complaint Form*. The CEO will establish a review meeting with the student / stakeholder within 5 working days of receiving the request in writing.
 - If the complaint or grievance is still not investigated and resolved to the satisfaction of the student / stakeholder then they can refer the complaint to the Victorian Registration and Qualifications Authority (VRQA). VRQA can be contacted by completing a VRQA online form, sending a letter to the Manager, Complaints Unit, or by phone. The online complaints form is available on the VRQA website.
 - VRQA will refer the student / stakeholder to the appropriate agency if the nature of the complaint is not something VRQA investigates.
 - The complainant will be referred to VRQA or the relevant agency.
- In some circumstances it may be inappropriate for the student / stakeholder to lodge a formal complaint or grievance with VACSAL's RTO. In these circumstances the student / stakeholder may lodge a complaint directly to VRQA.
- If students / stakeholders, VACSAL's RTO, and other parties that are the subject of an investigation, are not satisfied with the handling of a complaint or the outcome of a complaint investigation by VRQA, they have the right to request a review of the investigation process or outcomes. This may include a review by Victorian Civil and Administrative Tribunal (VCAT) or the Victorian Ombudsman.

Reviewing the appeal process

The following review process will be followed if the outcome of a formal complaint or grievance is appealed.

- Within 20 working days (4 weeks) of a student / stakeholder indicating they are going to appeal the outcome of a complaint, the RTO and Learn Local Manager will make contact with the person to review any appeal actions and outcomes. Contact may via phone, text or email.

- As required, the RTO and Learn Local Manager will provide further information about the appeals process (as noted above).
- If required, a further contact will be made after 60 working days (12 weeks) to follow-up on any appeal actions and outcomes. This will continue until any appeal process has concluded and the outcomes of the process are known.
- During the appeals review process the RTO and Learn Local Manager will keep maintain contact with the complainant unless asked not to do so by the complainant, VACSAL CEO, VRQA or other authority.
- The RTO and Learn Local Manager will document the outcomes of any reviews undertaken on the RTO Complaint Form and on the Continuous Improvement Log.

How students give feedback and make complaints or grievance about VACSAL's RTO training provider.

Before the student makes a formal complaint or grievance, talk to VACSAL's RTO and Learn Local manager. If the student is dissatisfied with the outcomes they can talk to VACSAL's CEO. If the student can't resolve the issue they can contact VRQA as they help with complaints about providers that are registered with them (VACSAL is registered with VRQA). They can also investigate complaints and disputes about apprenticeship and traineeship contracts (details on their website included below). They can give students free advice on the complaints process. They may suggest you contact one of the organisations below for more advice. You can also contact these organisations directly.

- VRQA - <https://www.vrqa.vic.gov.au/complaints/Pages/making-a-complaint.aspx#link10>
- Consumer Affairs
- Commonwealth Ombudsman

Information is provided to students about the complaints and grievance process in the student handbook.

Record keeping

- All records in relation to this policy and procedure will be kept for a minimum of 7 years.

Documents that relate to this policy and procedure

- Information Privacy Policy
- Assessment Submission and Appeals Policy
- RTO Complaint Form
- RTO Concern and Complaint Record
- RTO Continuous Improvement Log