

<b>RTO STUDENT COMPLAINTS, GRIEVANCE AND APPEALS POLICY</b>	<b>VERSION NO: 5</b>
<b>RESPONSIBLE PERSON::</b>	<b>TRAINING COORDINATOR</b>
<b>COMMITTEE OF MANAGEMENT APPROVAL DATE:</b>	<b>17/02/2023</b>
<b>COMMITTEE OF MANAGEMENT CHAIRPERSON'S SIGNATURE:</b>	<b>R.Bolger</b>
<b>REVIEW DATE:</b>	<b>Annually</b>

**PURPOSE:**

The purpose of this policy is to ensure that all complaints, grievances and appeals are handled efficiently and effectively.

**SCOPE:**

This policy applies to all students at NSCLC.

**POLICY:**

- Any person wishing to make a complaint against NSCLC concerning its conduct as an RTO, whether it's a complaint, grievance, appeal or any other matter, shall have access to the complaints, grievance and appeals procedure.
- No student shall be disadvantaged or victimised as a result of making a complaint;
- Where possible and appropriate complaints shall be dealt with locally at the level at which the complaint occurs;
- High risk complaints including those relating to allegations of sexual harassment, bullying and discrimination should be directed to the Training Coordinator
- All formal complaints will be heard and decided within 15 working days of the receipt of the written complaint by the organisation.
- The complainant shall be kept informed on the progress of a their complaint (with the exception of anonymous complaints);
- The designated person will keep a 'Register of Complaints' which documents all formal complaints and their resolution.
- Any person who has a grievance has the ability to have their complaint considered through an accepted procedure.
- The Committee of Management will not consider any grievances or complaints until it has been discussed with the appropriate staff member, whether it is the Training Coordinator or CEO and their comments are documented and permitted by complainant to be available for inspection.

**DOCUMENTATION:**

Corrective Action Record Form

Corrective Action Record Register

**ASSOCIATED POLICIES AND PROCEDURES:**

RTO Student Complaints, Grievance and Appeals Procedure

**REFERENCES:**

Racial Discrimination Act, 1975

Equal Opportunity Act, 2010

Sex Discrimination Act, 1984 and

**AQTF STANDARD 2** – The RTO adheres to the principles of access and equity and maximises outcomes for its clients.

Education and Training Reform Act 2006

**VRQA Guidelines for VET providers – Guideline 2** - Transparency and oversight of third parties

<b>RTO STUDENT COMPLAINTS, GRIEVANCE AND APPEALS PROCEDURE</b>	<b>VERSION NO: 6</b>
<b>RESPONSIBLE PERSON::</b>	<b>TRAINING COORDINATOR</b>
<b>COMMITTEE OF MANAGEMENT APPROVAL DATE:</b>	<b>17/02/2023</b>
<b>COMMITTEE OF MANAGEMENT CHAIRPERSON'S SIGNATURE:</b>	<b>R.Bolger</b>
<b>REVIEW DATE:</b>	<b>Annually</b>

#### **PURPOSE:**

The procedure applied to complaints, grievance and appeals resolution is to ensure that any complaints that may arise in a conflict at the NSCLC will be resolved promptly, fairly and result in an equitable outcome agreed by all parties.

#### **SCOPE:**

This procedure applies to all students at NSCLC.

#### **DEFINITION:**

**Complaint:** Any expression of dissatisfaction by any person with any of the services offered at NSCLC.

**Grievance:** Is any matter, which might be the cause of some concern or dissatisfaction to a student, member or participant on the grounds of equity or opportunity.

**Appeals:** To apply for a review of outcome of a grievance or complaint.

#### **PRINCIPLES:**

Any people who are concerned about the conduct of NSCLC are encouraged to attempt to resolve their concerns using this complaint, grievance and appeals procedure.

Nothing contained in this procedure prevents a person from exercising their rights to other legal remedies.

All prospective students will be provided with a copy of the Student Complaints, Grievance and Appeals Policy and Procedure document before making a contract to enrol and again at course commencement.

All disputes or grievances will be handled professionally and confidentially in order to achieve a satisfactory resolution.

All parties will have a clear understanding of the steps involved in the grievance procedure.

A Client may raise any matters of concern relating to training delivery and assessment, the quality of the teaching, discrimination, sexual harassment and other issues that may arise.

All grievances will be managed fairly and equitably and as efficiently as possible.

Students will be provided with details of external authorities, they may approach if required.

Persons with a complaint concerning the manner that NSCLC conducts its responsibilities as a Registered Training Organisation (RTO), have access to the following procedure:

**Informal complaint:**

- The initial stage of any complaint shall be for the complainant to communicate directly with the operational representative of the organisation, e.g. the Trainer & Assessor, who will make a decision and record the outcome of the complaint.
- Person(s) dissatisfied with the outcome of the complaint to the trainer & assessor may then complete a student complaints form.
- The Training Coordinator within 5 working days of receiving the form will provide acknowledgement to the complainant.
- Within 10 working days of receiving the form, the Training Coordinator will determine whether the subject matter falls within the definition of a Grievance, based on the available information.
- Where it is determined that the subject matter falls outside the definition of a grievance, the Training Coordinator will advise the Complainant accordingly. The Training Coordinator may dismiss a Grievance if, in their view, the Grievance is ill-advised, misguided, frivolous, malicious or vexatious.
- If the Training Coordinator determines that it is in fact a Grievance, they will:
  - Gather such other information as required to assist with the settlement of the Grievance, including providing the Respondent with a statement of the Grievance and the opportunity to respond; and
  - Attempt to settle the Grievance by using the process outlined by the Complainant for settlement, if appropriate, through discussion, meetings, or counselling.
- After the Conclusion of the Informal Procedure, the Training Coordinator will write to both the Complainant and Respondent indicating the outcome of the process and specifying any action that has been agreed by the parties as part of that process. At this point, the Training Coordinator will also provide written notice to the Complainant and Respondent of their right to request initiation of a 'formal complaint' if they are dissatisfied with the outcome of the informal procedure.
- Where the complaint is regarding the Training Coordinator. The person dissatisfied with the outcome can make a complaint to the CEO who will make a decision and record the outcome of the complaint.

### **Formal complaint:**

- Formal complaints may only proceed after the informal complaint procedure has been finalised. The complaint and its outcome shall be recorded in writing.
- On receipt of a formal complaint the CEO shall convene an independent panel to hear the complaint; this shall be the 'complaint committee'.
- The complaint committee shall not have had previous involvement with the complaint and should include representatives of:
  - The Committee of Management
  - The Training Coordinator;
  - And the CEO.
- The complainant shall be given an opportunity to present his/her case to the Committee and may be accompanied by one other person as support or as representation.
- The relevant staff member shall be given an opportunity to present his/her case to the Committee and may be accompanied by one other person as support or as representation
- The complaint Committee will make a decision on the complaint.
- The complaint Committee will communicate its decision on the complaint to all parties in writing within 5 working days of making its decision.
- Every effort will be made to resolve the matter by conciliation and/or mediation. All complaints will be treated quickly, seriously and sympathetically.
  - Clients, Customers or students are entitled to resolve any dispute by exercising their rights to other legal remedies.
- Documentation regarding the meetings content and outcomes or action to be taken will be kept by NSCLC. A copy shall be available for the claimant's records.
- Should the complaint committee not resolve the matter the following external mediator will be contacted;
  - Dispute Settlement Centre of Victoria (DSCV) - Shepparton Justice Service Centre, Phone: 5858 7653

### **Appeals Procedure:**

- If after the Conclusion of the formal procedure the complainant or respondent wishes to appeal the outcome made, the complainant or respondent can request in writing to NSCLC's Committee of Management.
- Committee of Management will make a decision on the complaint.

- The Committee of Management will communicate its decision on the complaint to all parties in writing within 5 working days of making its decision
- If after receiving the decision made by the Committee of management the complainant or respondent wishes to appeal the outcome made, the complainant or respondent can request may wish to source access to an impartial external arbitrator these may include;
  - Dispute Settlement Centre of Victoria (DSCV) - Shepparton Justice Service Centre  
307-331 Wyndham St, Shepparton VIC 3630,  
Phone: 5858 7653
  - The Victorian Equal Opportunity and Human Rights Commission,  
Phone: 1300 292 153

#### **DOCUMENTATION:**

Corrective Action Record Form

Corrective Action Record Register

#### **ASSOCIATED POLICIES AND PROCEDURES:**

RTO Student Complaints, Grievance and Appeals Policy

RTO Student Selection Policy

RTO Plagiarism Procedure

#### **REFERENCES:**

Racial Discrimination Act, 1975

Equal Opportunity Act, 2010

Sex Discrimination Act, 1984 and

**AQTF STANDARD 2** – The RTO adheres to the principles of access and equity and maximises outcomes for its clients.

**AQTF STANDARD 3** – Management systems are responsive to the needs of clients, staff and stakeholders and the environment in which the RTO operates

Education and Training Reform Act 2006

**VRQA Guidelines for VET providers – Guideline 2** - Transparency and oversight of third parties