

# COMPLAINTS AND APPEALS HANDLING POLICY AND PROCEDURE

**This Complaints and Appeals Handling Policy and Procedure is used for all academic and non-academic complaints.**

## 1. Policy

Work Skills is committed to developing and maintaining an effective, timely, fair and equitable complaints handling system which is easily accessible to all complainants. Our complaints handling procedure has been designed using the Principles of Natural Justice and Procedural Fairness

We see complaints as valuable customer feedback that needs to be addressed with a solution focused approach. Work Skills believes that every client needs to be:

- Heard
- Understood
- Appreciated

Work Skills aim to:

- Develop a culture that views complaints as an opportunity to improve the organisation and how it performs;
- Set in place a complaint handling system that is client focussed and helps Work Skills to prevent complaints from reoccurring;
- Ensure that any complaints are resolved promptly, objectively and with sensitivity and in complete confidentiality;
- Ensure that the views of each complainant are respondent, are respected and that any party to the complaint is not discriminated against or victimised.
- Ensure that there is a consistent response to complaints.

A complaint can be defined as an individuals or business expression of dissatisfaction with any aspect of Work Skills service and activities, including both academic and non-academic matters such as:

- The enrolment and induction process
- The quality of education provided
- Academic issues, including student progress, assessment decisions, units of competence selections and qualification, statement of attainment issuance
- Handling of personal information and access to personal records
- The way someone has been treated

These complaint procedures are designed to ensure that Work Skills responds effectively to individual cases of dissatisfaction.

## 2. Definitions

**WORK SKILLS** refers to the registered training organisation, EC Training Pty LTD T/A Work Skills.

**GRIEVANCE – INFORMAL COMPLAINT** refers to a concern about academic matters, perceived discrimination, a situation, a process, a person or people, a facility or a support service provided by Work Skills, which the individual brings to the attention of Work Skills in an informal way, i.e. it is spoken about, not written down.

**COMPLAINT** refers to a formal complaint which may take place if a grievance cannot be resolved informally

**COMPLAINANT** refers to the person(s) who formally instigates a complaint.

**RESPONDENT** refers to the person(s) or institute against whom the complaint is lodged.

**FORMAL COMPLAINT** refers to the formal lodging of a written complaint.

**APPEAL** refers to if an individual is dissatisfied with a decision made by Work Skills; the individual has a right to have the decision reviewed. This includes decision relating to complaint outcomes and assessment appeals

**APPELLANT** refers to the person(s) who formally instigates an appeal. This person is usually the same person(s) who instigated the formal complaint in the first instance.

**CLIENT** refers to a trainee, apprentice, student, employer, parent/guardian either current or prospective customer wishing to enrol or use our services.

### 3. Policy Coverage

This policy is designed to cover all complainants including:

- Trainees and apprentices currently participating in a QLD User Choice Funded Program.
- Trainees, apprentices and student who are Fee for Service client including students undertaking an RPL assessment program.
- Employers or supervisors of Work Skills trainees, apprentices or students.
- Parent/guardians of Work Skills Trainees, apprentices or students under the age of 18 years.
- Staff member employed by Work Skills and any third party that provides services on behalf of Work Skills such as GTO's, AASN's etc.

In relation to non-academic complaint, the term "complainant" applies to both current clients of Work Skills and potential client seeking to enrol or engage our services.

These complaint procedures will be made available to the complainant regardless of their location or where the complaint has arisen.

### 4. Grievance - Informal complaint - Before an issue becomes a formal complaint

Complainant is encouraged, wherever possible, to resolve concerns or difficulties informally with the person(s) concerned. There are staff available to assist the resolution of issues at this level. Complainants may raise an informal complaint by contacting Work Skills in person or by calling 1300 360 567, and asking to speak to the respective Industry Manager. Additionally if a client submits a request or query via our web site or through our Learning Management System an Industry Manager will make a phone call to the complainant to address the issues.

### 5. Procedure

This procedure can be utilised by complainants to submit a complaint of an academic or non-academic nature. Complaints of academic nature include issues related to student progress, assessment decisions, units of competence selection, qualification and statement of attainment issuance. Complaints of non-academic nature cover all other matters including complaint in relation to the personal information that Work skills retains in relation to an individual.

During all stages of this procedure Work Skills will take steps to ensure that;

- The complainant and any respondent will not be victimised or discriminated against
- The complainant has an opportunity to informally present their case and each party to a complaint may be accompanied and assisted by a support person at any relevant meetings
- All discussion and note, and outcomes will be recorded on the Work Skills Complaint Report and will be retained for use of further improvements to our services
- On the Work Skills Complaint Report will have a full explanation in writing for decisions and actions taken as part of the process and the complainant or respondent will be provided a copy if so requested;
- Where the internal or external complaint handling or appeal process results in a decision that supports the complainant, Work Skills will immediately implement any decision and/or corrective action required and advise the complainant of the outcome;
- There is no cost to the complainant to utilise this complaint procedure.

## 5.1 Stage one – Formal Complaint

Formal complaints are used when the issue cannot be amicably resolved at the informal level and the client wishes to escalate the issues. Formal Complaints must be submitted in writing to Work Skills with the details of the complaint.

Send the complaint to:

The Managing Director  
Work Skills  
Po Box 247  
Cannon Hill  
QLD 4170

Or

Email: [directors@workskills.com.au](mailto:directors@workskills.com.au)

Receipt of the complaint will be acknowledged in writing. The complaints handling process will commence within ten working days of the receipt of the formal complaint and all reasonable measure will be taken to finalise the process as soon as practical.

The Director will nominate if necessary, the appropriate Industry Manager to handle the complaint.

The Industry Manager, will then if necessary, seek to clarify the outcome that the complainant hopes to achieve.

Such clarification may be sought by written request or verbal request by phone or by face to face interview with the complainant. When such clarification occurs in a face to face interview the complainant or respondent may ask another person to accompany them.

The Industry Manager, will then endeavour to resolve the complaint and will provide a written report to the complainant on the steps taken to address the complaint, including the reasons for the decision, within ten working days. The report will further advise the complainant of their rights to access the internal appeals process if they are not satisfied with the outcome of their formal complaint. (NOTE: All decisions are based on the logical evidence obtain throughout the proceedings.)

In the event Work Skills cannot process your complaint within 60 days, we will notify you of this and the reason why. Work Skills will keep you updated through the process via email

## 5.2 Stage two – Internal appeal

An Internal appeal must be submitted in writing to Work Skills with the details of the appeal.

If a complainant is dissatisfied with the outcomes of their formal complaint, they may wish to lodge an appeal with the Director (the most senior position in the organisation) within 21 days from the date when the original decision from the formal complaint. The Director will appoint an appropriate person or panel to consult with the appellant and other relevant parties within 10 working days to obtain any further evidence or details not already disclosed to support the appeal. All meetings to take place at Work Skills place of business unless otherwise agreed.

Where possible such consultation should take the form of face-to-face interviews. The appellant or respondent may ask another person to accompany them to these interviews.

Following the consultation, the Director or their nominee, will provide a written report to the appellant advising the further steps taken to address the appeal, including reasons for the decision, within 10 working days (NOTE: All decision are based on the logical evidence obtain throughout the proceedings). The report will further advise the appellant of their right to access the external appeals process if they are not satisfied with the outcomes of their internal appeal.

In the event Work Skills cannot process your appeal within 60 days, we will notify you of this and the reason why. Work Skills will keep you updated through the process via email.

## 5.3 Stage three – External appeal

If the appellant is dissatisfied with the outcome of their internal appeal, they may wish to lodge an external appeal. If you wish to further appeal the decision you may lodge an appeal with the Administrative Appeals Tribunal (AAT). The current fee to lodge an application is \$884.00. In certain circumstances this fee may be reduced to \$100.00. Terms and conditions apply. For further information on how to lodge an appeal and costs, contact the Administrative Appeals Tribunal. Their office hours are Monday to Friday 8.30am to 5.00pm. Phone number is: 1800 228 333. (Calls are free from landline phones, however calls from mobiles may be charged) or email; [enquiries@aat.gov.au](mailto:enquiries@aat.gov.au)

## 6. What we do with the results of your complaint or appeal

If the issues that arose from the complaint are of a nature that can be used to improve the Work Skills services, the details of the complaint will be brought to the Work Skills Management meeting to be discussed as a group. The management group will determine the cause(s) of the issues and what steps or improvement can be taken to ensure it does not happen in the future. This will be recorded in our meeting minutes.

Work Skills will immediately implement any decision and/or corrective action required.

Additionally, Work Skills keeps a register of all complaints with the details. The purpose of this is to annually check the register to see if there are any common issues that appear to be happening and then use this information to improve our services.

## 7. Record keeping and confidentiality

All completed reports and correspondence handled under this procedure and the outcomes will be stored with the students file and a separate electronic copy will be saved in our complaints and appeals folder on the Work Skills server.

Work Skills will retain all records relating to the complaints handling for a minimum of five (5) years

All records relating to the complaint will be treated as confidential along with all other student records. Work Skills complies with the *Privacy Act 1988* and student may apply for and receive a copy of the personal information held by Work Skills that relates to this procedures

## 8. Approval, publication and training

This Policy and Procedure was agreed to and ratified by the Directors of Work Skills on the 01<sup>st</sup> December 2017, and is reviewed annually.

This Policy and Procedure is made available to individuals, student, prospective students and other stakeholders through information in our Student Hand Book and on the Work Skills website [www.workskills.com.au](http://www.workskills.com.au) . The students will be directed to this site during enrolment

For the purpose of training and communicating, this Policy and Procedure will be included in our staff induction process and will form part of our ongoing professional development program.