

## COMPLAINTS POLICY

### POLICY OVERVIEW

This policy provides a process for grievances, complaints and appeals to be heard and actioned. All grievances, complaints and appeals received by the Pro-Active Training and Assessments (PTA) are viewed as an opportunity for improvement.

Despite all efforts PTA to provide satisfactory services to its students, grievances and complaints may occasionally arise that require formal resolution. The following procedures provide students the opportunity to have any issues relating to a substantiated grievance, complaint and appeal resolved and resolutions reached that attempt to satisfy all parties involved. This grievances, complaints and appeals process is at no cost to the student (unless referred to a third party; see Procedure for more details).

PTA recognises the need for students, staff and other clients to have confidence that complaints and grievances will be dealt with in a fair and equitable manner based on procedures that are appropriate, accessible and easily understood. PTA has a duty of care in ensuring students study in a happy environment, free of coercion, unfair treatment or harassment.

### PROCEDURE

Access to the grievances, complaints and appeals policy and procedure is available to all students and potential students by direct contact with PTA, through our website and within the Student Handbook.

#### General Complaints and Grievances

How to make a complaint or grievance:

1. The initial complaint should be discussed informally with the relevant staff involved.
2. If the complaint is not resolved informally, the student may choose to lodge a formal grievance.
3. The complaint or grievance is recorded and PTA will make contact within 10 working days to arrange a meeting.
4. A meeting will take place to negotiate between all parties in an attempt to find a resolution agreeable to all parties.
5. Written documentation on the outcome and resolution is provided to all parties and actions are immediately implemented.
6. If a student is not satisfied with the outcome they will be referred to an external body where the matter can be dealt with independently
7. The complaint or grievance will be discussed at PTA Management meetings.

In cases where a general complaint is made, where possible all informal attempts shall be made to resolve the issue. These may include advice, discussions and general mediation. Any staff member can be involved in this informal resolution process.

If however a student has lodged a formal grievance, the following procedures must be followed:

- Any student, potential student or third party may submit a formal grievance to PTA with the reasonable expectation that the grievance will be treated with integrity and privacy. There is no cost for the process unless it is referred to a third party
- Complainants have the right to access advice and support from independent external agencies/persons at any point of the process. Use of external services will be at the complainant's costs unless authorised by PTA
- Any person wishing to submit a formal complaint (grievance) can do so by submitting, in writing, details regarding the complaint, providing as many details as possible Grievance, Complaints and Appeals Policy

All formally submitted grievances are submitted to:

Compliance Manager,

Pro-Active Training and Assessments,

187 Greville St, Prahran,

Victoria 3181

or emailed to [info@proactivetraining.com.au](mailto:info@proactivetraining.com.au)

These are to include the following information:

- Submission date of complaint
- Name of complainant
- Nature of grievance
- Date of the event which led to the grievance
- Attachments (if applicable).

Once a grievance is received it is to be entered into the Grievance, Complaints and Appeals Register, which is monitored by PTA regularly. The information to be contained and updated within the register is as follows:

- Submission date of complaint
- Name of complainant
- Description of complaint/grievance
- Determined resolution
- Date of resolution.

A student may be assisted or accompanied by a support person - regardless of the nature of the issue or complaint/grievance - throughout the process at all times. PTA shall refer the matter to the appropriate staff to resolve, or make a decision regarding the complaint within 10 working days, and will keep the complainant informed of any decisions, outcomes or processes put in place to deal with the complaint/grievance.

Once a decision or outcome has been reached, PTA shall be required to inform all parties involved of the decision or outcome in writing. Students shall also be notified that they have the right of appeal and are referred to the appeals procedure. To appeal a decision, students are required to provide PTA (in writing) their grounds for the appeal.

PTA shall ensure that any substantiated complaint/grievance is actioned immediately. If the internal or any external complaint or grievance handling process results in a decision that supports the student, PTA must immediately implement any decision and/or corrective and preventative action that is required and advise the student of the outcome. Copies of all documentation, outcomes and further action required will be placed into the 'Grievance, Complaints and Appeals Register' and in the student's file by the PTA Compliance Manager.

## Appealing a Decision - Internal Appeals

All students have the right to appeal decisions made by PTA where reasonable grounds can be established. The areas in which a student may appeal a decision may include:

- Assessments conducted
- Deferral, suspension or cancellation decisions made in relation to the student's enrolment, or Grievance, Complaints and Appeals Policy
- PTA has dealt with any other conclusion/decision that is made after a complaint or grievance in the first instance

To activate the appeals process, the student is to submit the appeal in writing, which is to include a summary of the grounds the appeal is based upon. The reason the student feels the decision is unfair is to be clearly explained. Students can be helped and supported with this process by a relevant representative of PTA.

PTA shall then determine the validity of the appeal, organise a meeting with all parties involved and attempt to seek resolution. The process for all formally lodged appeals will begin within 10 working days of the appeal being lodged. PTA shall ensure that any substantiated appeal is acted upon.

Appeals are defined under one of the following categories and the appropriate procedures followed:

## General Appeals

Where a student chooses to appeal a decision or outcome of a grievance, they are required to notify PTA in writing within 20 working days of the grounds of their appeal. Any supporting documentation should also be attached to the appeal.

The appeal shall be lodged through the:

Compliance Manager,  
Pro-Active Training and Assessments,  
187 Greville St, Prahran,  
Victoria 3181  
or emailed to [info@proactivetraining.com.au](mailto:info@proactivetraining.com.au)

The Compliance Manager is responsible for ensuring the details of the appeal are added to the 'Grievance, Complaints and Appeals Register'.

The Compliance Manager of PTA shall seek details regarding the initial documentation of the complaint or grievance and make a decision based on the grounds of the appeal.

The student shall be notified in writing of the outcome with reason/s for the decision. The 'Grievance, Complaints and Appeals Register' must be updated. If the student is not satisfied with the outcome, they are provided the option of activating the external appeals process. The student is required to notify PTA if they wish to proceed with the external appeals process.

## **Assessment Appeals**

Where a student wishes to appeal an assessment, in the first instance they are required to notify their teacher/assessor. Where appropriate the teacher/assessor may decide to re-assess the student's project to ensure a fair and equitable decision has been attempted. The teacher/assessor shall complete a written report regarding the re-assessment outlining the reasons why assessment was or was not granted.

If this is still not to the student's satisfaction, the student shall formally lodge an appeal by submitting a written letter outlining their reasons for the appeal. They shall lodge this with the Compliance Manager and the appeal shall be entered into the 'Grievances, Complaints and Appeals Register.'

The Compliance Manager shall seek details from the teacher/assessor involved and any other relevant parties. A decision shall be made regarding the appeal either determining that the assessment decision stands or details of a possible further re-assessment by a third party. The third party shall be another teacher/assessor appointed by the Compliance Manager of PTA.

The student shall be notified in writing of the outcome with reason/s for the decision and the 'Grievances, Complaints and Appeals Register' is updated. If they are not satisfied with the outcome, the student shall also be provided the option of activating the external appeals process. The student is required to notify PTA if they wish to proceed with the external appeals process

## **Further Steps and Information - External Appeals**

A student may seek an external appeal and review at any stage of the complaint / grievance resolution process (though it is usually expected that a student will have accessed the internal review and appeal processes before referring the complaint to an external agency). If PTA receives notification that a complaint or grievance is the subject of formal external enquiry or legal action, the internal resolution process will be suspended until the external action is completed and maintain the student's enrolment until the external appeal process is finalised.

If a student's complaint against PTA has been heard as an Appeal, the only avenue for further review or appeal is external. No further internal review or appeal is available.

In following external avenues for complaint / grievance resolution, students may choose to lodge an external appeal or complaints / grievance to the Institute of Arbitrators and Mediators Australia ((03) 8648 6578). The costs for an external appeal is reasonable and is shared between the RTO and the applicant of the appeal.

Students can seek other external reviews or appeals by seeking assistance from agencies such as the ASQA or relevant Commission or the Office of Fair Trading. See following contact details

## Australian Skills Quality Authority

<b>Melbourne</b>	Level 6, 595 Collins Street
<b>Brisbane</b>	Level 7, 215 Adelaide Street
<b>Sydney</b>	Level 10, 255 Elizabeth Street
<b>Canberra</b>	Ground Floor, 64 Northbourne Avenue, Canberra City
<b>Perth</b>	Level 11, 250 St Georges Terrace
<b>Adelaide</b>	Level 5, 115 Grenfell Street
<b>Hobart</b>	Level 11, 188 Collins Street
<b>Phone</b>	1300 701 801
<b>Email</b>	complaintsteam@asqa.gov.au
<b>Website</b>	www.asqa.gov.au

PTA will comply with the findings of the external appeals process.

Where a decision or outcome is in favour of the student, PTA shall follow the required action and recommendation to satisfy the student's grievance as soon as practicable. The decision of the external appeal is final and any further action the student wishes to take is outside PTA policies and procedures.

### Further Steps

If a student continues to be dissatisfied with the decision of PTA, they may wish to seek legal advice or place a complaint directly with ASQA.

If, after PTA's complaints and appeals processes have been completed, the student still believes PTA is breaching or has breached its legal requirements, the student can:

- --- Seek legal advice; or
- --- Submit a complaint to ASQA by completing the 'Complaint About A Training Organisation Operating Under ASQA's Jurisdiction' form.

In exceptional circumstances, the student must attach evidence to their complaint form showing that they have followed the PTA formal complaints procedure and PTA's response.

ASQA's processes require students identify themselves as a complainant, although students may request their identity to be kept confidential throughout any investigation that ASQA undertakes.