



Complaints and Appeals Policy and Procedures

COMPLAINTS AND APPEALS POLICY AND PROCEDURES

Partners in Training Australia (RTO#21837) is committed to managing and responding to any complaint or appeal (including assessment appeals) any stakeholder may have as quickly and amicably as possible. In all instances, Partners in Training will manage and respond to complaints or appeals in a fair, safe, supportive and productive environment consistent with the principles of procedural fairness and natural justice.

The following sections of this Complaints and Appeals Policy and Procedures outline how we manage and respond to complaints or appeals.

If you have any queries, concerns or complaints in relation to this Complaints and Appeals Policy and Procedures please contact:

Chief Executive Officer

1300 664 601

complaints@pta.edu.au

Partners in Training reserves the right to amend this Complaints and Appeals Policy and Procedures at any time and will post an updated version of on Partners in Training’s website at <http://www.partnersintraining.edu.au/complaints-and-appeals/>

CONTENTS

Scope of the Complaints and Appeals Policy and Procedures 3

 Grounds for a complaint or appeal 3

 Grounds for an assessment appeal 3

Complaints and Appeals Procedure 3

 Step 1: Preliminary action 4

 Step 3: Investigation of a written complaint or appeal by the relevant Manager 5

 Step 4: Outcomes of investigation by the relevant Manager..... 5

 Step 5: Elevation of a written complaint or appeal to the Chief Executive Officer 6

 Step 6: Mediation 6

 Step 7: External agencies 7

Responsible officer..... 7

APPENDIX 1 – FLOW CHART OF COMPLAINTS AND APPEALS PROCEDURE..... 9

Scope of the Complaints and Appeals Policy and Procedures

This Complaints and Appeals Policy and Procedures applies to any matter relevant to the training and assessment services provided by Partners in Training, including academic and non-academic matters, involving the conduct of:

- Partners in Training, Partners in Training's trainers and assessors or other Partners in Training staff members;
- a third party (including the personnel of a third party) providing services on Partners in Training's behalf;
- a student or prospective student of Partners in Training; and
- an assessment decision made by Partners in Training's trainers and assessors.

A complaint or appeal may be made by any affected stakeholder of Partners in Training in relation to the conduct of the persons listed above.

Grounds for a complaint or appeal

The grounds giving rise to a complaint or appeal (being a request for a review of decision) by a stakeholder may include, but is not limited to:

- a failure to adhere to Partners in Training's policies and procedures;
- a failure to adhere to a regulatory requirement;
- improper or negligent conduct of any person, including bullying;
- unfair treatment, prejudice or bias; or
- a decision being made without sufficient consideration of facts, evidence or circumstances.

Grounds for an assessment appeal

The grounds giving rise to an assessment appeal arising from a decision made by Partners in Training to a final assessment grade, mark or result, of a student may include, but is not limited to:

- the student was affected by the assessment decision made without sufficient consideration of facts, evidence or circumstances;
- the student was affected by improper or negligent conduct, including bullying, whilst undertaking the assessment;
- the learning and assessment tasks were not clearly explained to the student; or
- the student's work was submitted in a timely manner but was allegedly not received and/or marked by the assessor.

Complaints and appeals procedure

The procedure set out below will be followed to manage and respond to all complaints and appeals.

COMPLAINTS AND APPEALS POLICY AND PROCEDURES

At all times during the complaints and appeals process, the following principles of procedural fairness and natural justice must be followed:

- All persons must act in good faith and seek at all times to achieve an amicable resolution.
- All persons must be provided with an opportunity to respond to the complaint or appeal.
- All complaints and appeals must be investigated and decided by a Partners in Training employee who is independent of the complaint or appeal.
- A person must not be subject to reprisals for making or participating in the complaint or appeal in good faith.
- A person must not be subject to adverse action until the complaint or appeal process has come to an end.
- All persons may request access to all records relevant to the complaint or appeal in accordance with the Privacy Policy and Procedures.
- All persons have the right to a support person during any stage of the complaint or appeal process (a support person is only an observer who shall not speak unless requested by a person directly involved in the complaint or appeal process).
- All persons may remain anonymous provided it is practicable and appropriate in the circumstances.
- All persons must maintain and respect the privacy and confidentiality of persons involved in and records of the complaint or appeal, except where the release of certain information is required by law. This means that all persons involved in any complaint or appeal should only discuss the complaint or appeal with the persons who have responsibility for dealing with the complaint or appeal, or their nominated support person.

If any complaint or appeal is made against a member of Partners in Training's management, the matter will be taken directly to the Director.

If the Chief Executive Officer considers that more than 60 calendar days are required to process and finalise the complaint or appeal, the Chief Executive Officer will:

- inform all persons involved in writing with reasons as to why more than 60 calendar days are required to process and finalise the complaint or appeal; and

Step 1: Preliminary informal action

Before making a formal written complaint or appeal, the complainant should first attempt to try and resolve the matter directly with the persons concerned. If the complainant believes that their complaint or appeal has not been adequately resolved after discussion with the persons concerned, then the complainant should discuss the issues with the designated complaint person at each Campus. The complainant should speak with Student Support to make an appointment with the designated complaint person. If the complainant believes that their complaint or appeal has still not been adequately resolved after discussion with the designated complaint person, then the complainant may make a formal written complaint or appeal.

If a complainant makes a formal written complaint or appeal prior to taking preliminary informal action, the Quality and Compliance Officer may require the complainant to take preliminary informal action before accepting the formal written complaint or appeal.

Step 2: Making a written complaint or appeal

All complaints or appeals should be made within 30 calendar days of the occurrence of the circumstances giving rise to the complaint or appeal.

A complainant should submit their complaint or appeal in writing to:

Quality and Compliance Officer

complaints@pta.edu.au

When submitting their complaint or appeal, the complainant should provide a clear written statement setting out:

- the persons involved and their relationship to Partners in Training;
- the circumstances and grounds giving rise to the complaint or appeal;
- the complaint or appeal; and
- a suggested solution that the complainant believes will settle their complaint or appeal.

The complainant may request the assistance of a Partners in Training staff member to submit their complaint or appeal.

Step 3: Investigation of a written complaint or appeal

1. Within five calendar days of receipt of a complaint or appeal, the Quality and Compliance Officer will:
 - provide a written acknowledgement to the complainant that the complaint or appeal has been received; and
 - direct the complaint or appeal to the relevant Manager.
2. Within 20 calendar days of receipt of a complaint or appeal, the relevant Manager will investigate the circumstances giving rise to the complaint or appeal, which may include but is not limited to:
 - interviewing the complainant;
 - interviewing relevant staff members, third parties, students or other relevant persons; and/or
 - reviewing any documentation relating to the complaint or appeal.

Step 4: Outcomes of investigation

1. Within 25 calendar days of receipt of a complaint or appeal, the relevant Manager will provide the Quality and Compliance Officer with an overview and recommended outcomes of their investigation, including any actions agreed by the persons involved.
2. Within 30 calendar days of receipt of a complaint or appeal, the Quality and Compliance Officer will prepare a written notice on the basis of the information provided by the relevant Manager and

provide the written notice to all persons involved in the complaint or appeal setting out the outcomes of the investigation with reasons and any actions agreed by the persons involved. This may include a recommendation that the Quality and Compliance Officer is reasonably satisfied that the complaint or appeal is frivolous, malicious or vexatious, and should not be taken any further.

Step 5: Elevation of a written complaint or appeal to the Chief Executive Officer

If a person involved in the complaint or appeal is not satisfied with the outcome of the investigation as notified in writing by the Quality and Compliance Officer, they may elevate their complaint or appeal to the Chief Executive Officer (or Director where the Chief Executive Officer is not independent).

1. All elevations of a complaint or appeal should be made within 10 calendar days of receipt of the written notice setting out the outcome of the complaint or appeal from the Quality and Compliance Officer.
2. A complainant must submit their elevated complaint or appeal in writing to:

Chief Executive Officer

complaints@pta.edu.au

When submitting the elevation of their complaint or appeal, the complainant should provide a clear written statement setting out:

- the reasons why they are not satisfied with the outcome of the investigation as notified in writing by the Quality and Compliance Officer; and
- a suggested solution that the complainant believes will settle their complaint or appeal.

The complainant may request the assistance of a Partners in Training staff member to submit their complaint or appeal.

3. Within five calendar days of receipt of the elevation of the complaint or appeal, the Chief Executive Officer will provide a written acknowledgement to the complainant that the request to elevate the complaint or appeal has been received.
4. Within 20 calendar days of receipt of an elevated complaint or appeal, the Chief Executive Officer will provide final written notice to all persons involved in the complaint or appeal setting out the final outcome of the complaint or appeal. This may include written notice that the Chief Executive Officer is reasonably satisfied that the complaint or appeal is frivolous, malicious, or vexatious, and will not be taken any further.

Step 6: Mediation

If a person involved in the complaint or appeal is not satisfied with the outcome of the final investigation as notified in writing by the Chief Executive Officer, they may seek mediation of the complaint or appeal by submitting a request for mediation in writing, within 30 calendar days of receipt of the written notice, to:

Chief Executive Officer

complaints@pta.edu.au

Within 10 calendar days of receipt of a request to proceed to mediation, the Chief Executive Officer will determine whether mediation is practicable and appropriate in the circumstances and either:

- obtain the written consent of all persons to proceed to mediation (including consent to the applicable costs) and notify all persons that the matter is proceeding to mediation if consent is obtained; or
- advise all persons that the Chief Executive Officer is reasonably satisfied that mediation would not be practicable nor appropriate in the circumstances or that all persons involved have not consented to the mediation and advise of the right to lodge an external complaint or appeal.

Mediation will be referred to the Australian Mediation Association. The Australian Mediation Association charge \$440 per hour (excluding GST) for a minimum of 7 hours. Any costs associated with the mediation shall be borne in equal proportions between all parties, except for any legal costs which shall be borne by the party who engages the legal service.

Step 7: External agencies

A person may take their complaint or appeal to any of the following external agencies if the Chief Executive Officer is reasonably satisfied that mediation would not be practicable nor appropriate in the circumstances, if all persons involved have not consented to the mediation or if a mediation fails to resolve the complaint or appeal.

In most instances, the external agency may require the complainant to follow this Complaints and Appeals Policy and Procedure prior to lodging a complaint or appeal with them, unless doing so would disadvantage the person.

ASQA

<https://www.asqa.gov.au/complaints>

Phone: 1300 701 801

Relevant State or Territory Consumer Affairs Agency

The relevant State or Territory Consumer Affairs Agency is responsible for informing consumers and business about consumer rights and for enforcing consumer rights. The relevant Consumer Affairs Agency can investigate and resolve complaints about products, services or conduct of businesses.

Consumer Affairs Victoria

1300 55 81 81

Commonwealth Ombudsman VET Student Loans

1300 362 072

Responsible officer

The Chief Executive Officer has overall responsibility for the implementation, administration and review of this Complaints and Appeals Policy and Procedures.

Version control

Date	Summary of amendments
30 March 2015	Original version
30 September 2015	Branding update
November 2015	All sections updated. Key amendments include new Quality and Compliance Officer; informal process required to be followed prior to formal process; additional natural justice and procedural fairness requirements; change to referral to mediation and costs; change to listed external agencies; prescribed frequency of notification if over 60 days; update to Appendix 1 procedure to reflect changes
April 2016	All sections updated throughout to reflect changes to responsibilities. "Operations Manager" has been amended to "Chief Executive Officer". "Complaints Officer" has been amended to "Quality and Compliance Officer".
December 2017	Update to Partners in Training's email addresses. Addition of step to ensure student discusses the complaint with the designated complaint person at their respective campus.
Oct 2019	Update to External Complaints parties.

APPENDIX 1 – FLOW CHART OF COMPLAINTS AND APPEALS PROCEDURE

