

## POLICY & PROCEDURAL STATEMENTS

**Topic:**           **Complaints and appeals**

**Outline:**           This policy and procedure has been developed and implemented to ensure that Avenue Neighbourhood House @ Eley Inc. has an efficient and effective complaints and appeals management process. This allows its students /stakeholders to express any concerns they may have that relates to the activities offered by Avenue Neighbourhood House @ Eley Inc. In addition this procedure outlines the process by which Avenue Neighbourhood House @ Eley Inc. will continuously improve the quality of services based on information gained from complaints and appeals made by its stakeholders.

### **Definitions:**

Avenue Neighbourhood House @ Eley (ANH@E) acknowledges that staff, members and students have a right to raise concerns and have them addressed promptly and appropriately. Complaints are handled objectively and with sensitivity. The most desirable outcome in cases of complaints is:

- The determination about whether there has been any unsatisfactory/inappropriate practice or action, as early as possible and in the fairest and most objective manner possible;
- The implementation of any necessary changes designed to bring about better educational, or administrative outcomes, as appropriate;
- The achievement of reconciliation between the parties;
- The establishment of a renewed confidence in the relationship.

This policy and procedure identifies the means of handling, in a fair, equitable and effective manner, the actions that are to be taken when any staff member and/or Committee of Management receives a complaint, either internally or externally at ANH@E.

Avenue Neighbourhood House @ Eley Inc offers numerous activities and programs other than nationally recognised training, however for the purpose of this policy and procedure the following definitions will be utilised:

#### *Complaints Process (As per Australian Quality Training Framework)*

A process by which a student/stakeholder of an RTO, or other interested parties, may raise a concern about the RTO's policies, procedures, services or products with a view to having them changed and improved.

#### *Appeals (As per Australian Quality Training Framework)*

A process whereby a student/stakeholder of an RTO, or other interested party, may dispute a decision made by the RTO. The decision made by the RTO may be an assessment decision or may be about any other aspect of the RTO's operations.

This policy and procedure applies to all staff, students and stakeholders at ANH@E in reference to any communication with the following exceptions:

1. Health and safety matters shall be dealt with in accordance with the Occupational Health and Safety policy and procedures of ANH@E;
2. Discrimination, bullying and any issue relating to equal opportunity and managing diverse issues such as sexual harassment shall be dealt with in accordance with the Harassment and Bullying Policy and Access and Equity Policy of ANH@E;
3. Situations relating to matters of staff misconduct shall be dealt with in accordance with the Policy and Procedure for Staff Counselling and Discipline of ANH@E;
4. Matters relating to student misconduct shall be dealt with in accordance with course policies and procedures in the Student Handbook and the Student Code of Ethics of ANH@E

### **Process:**

#### **Complaints Management (informal resolution)**

1. All students/stakeholders are encouraged to firstly resolve any complaints they have in an informal manner;
2. Student/stakeholders can do this by approaching the person/s against whom they are making the complaint and try to rectify issues that relate to their complaint;
3. In the event the student/stakeholder is unable to resolve their complaint through the informal process then the student/stakeholder has the option of contacting the Committee of Management appointed liaison officer or of lodging a formal complaint.

#### **Complaints Management (formal resolution)**

4. A student/stakeholder may choose to raise a concern formally in writing. Formal written complaints should be submitted to the relevant coordinators. These being Recreation and social activities – Program Coordinator, Early Learning-Childcare Director, Nationally Recognised Training and Learn Local Training-Further Education Coordinator and should contain the following details
  - a. the reasons for the formal complaint
  - b. provide situational background to the complaint i.e. the what, when, who, where and how.
2. The relevant coordinator having regard for the relevant circumstances will consider the formal complaint by:
  - a. reviewing the student's/stakeholder's letter;
  - b. verifying that all appropriate procedures have been correctly carried out;
  - c. sourcing additional information from appropriate staff concerning the subject of the complaint;
  - d. discussing the matter directly with the student/stakeholder
  - e. undertaking other investigation or action as appropriate.
3. After consideration of all available evidence, the relevant coordinator may decide to:
  - a. Dismiss the complaint
  - b. Uphold the complaint and direct that:
    - compensation as appropriate be made to the student/stakeholder, and/or
    - where relevant administrative systems or procedures be reviewed;
    - appropriate preventative action be undertaken;
    - other actions as appropriate.

4. The student/stakeholder will be informed of the outcome within 10 working days of submission of the formal complaint. The written advice of the outcome shall include the reasons for the outcome and advise the student/stakeholder of their right of appeal.

### **Appeals Management**

1. A student/stakeholder has the right of appeal on one or more of the following grounds:
  - a. That the investigation process did not take account of all matters related to the complaint;
  - b. That the student/stakeholder is able to provide new evidence which could not reasonably have been provided at the time of the formal complaint resolution process;
  - c. That a procedural irregularity has occurred in the hearing of a complaint during the formal resolution process.
2. An appeal must be lodged in writing to the House Manager within 5 working days of notice of the outcome of the formal complaints procedure.
3. Upon receipt of the written appeal the House Manager will:
  - a. Consider the matter and complete the investigations within 5 working days of notification of appeal;
  - b. Report to The Committee of Management findings, decision and recommendations, and
  - c. The House Manager in consultation President of Committee of Management appointed liaison officer will consider all evidence and on reaching a decision, notify the Appellant in writing of the outcomes of the process, the reasons for the decision(s) and any specific action to be taken.
4. The decision of the House Manager in consultation with the Committee of Management appointed liaison officer is the final step in the Avenue Neighbourhood House @ Eley Inc, internal Complaints and Appeals Process.

### **Appeal Against Assessment Result**

Any student dissatisfied with the mark awarded for or outcome of an assessment task, or the final result for a unit because they feel the mark or result is unfair or incorrect, may submit a request to the Further Education Coordinator for review.

In the first instance, such review will be undertaken by the original assessor. If the student remains dissatisfied with the outcome then he/she may lodge a formal appeal.

The appeal must be in writing, explaining reasons for the appeal, and be submitted to the Further Education Coordinator within 10 working days of the student being notified of the review outcome.

Where reasonable grounds for appeal exist, the Further Education Coordinator will arrange for an external review to be undertaken. Any costs associated with the external review will be borne by Avenue Neighbourhood House @ Eley Inc.

The student will be notified in writing of the outcome of the external review. The outcome of the external review will be final.

### **Independent Mediation and Consultation**

At any time during the complaint and appeal process the complainant/appellant may seek the advice or mediatory services of an external independent body for example:

- the Dispute Resolution Centre of Victoria, a free mediation service, which may be accessed via telephone Toll Free 1800 658 528 or email [dscv@justice.vic.gov.au](mailto:dscv@justice.vic.gov.au) or;
- the Victorian Registration and Qualifications Authority via the website [www.vrqa.vic.gov.au](http://www.vrqa.vic.gov.au), (nationally recognised training only) or
- the National Training Complaints Hotline - telephone 13 38 73 (Monday to Friday, 8.00 am – 6.00 pm or via email to [skilling@education.gov.au](mailto:skilling@education.gov.au) (nationally recognised training only)

Should the complainant/appellant choose to seek alternative advisory or mediation services, the complainant/appellant will meet the financial costs of such services.

### **Record Keeping**

1. Staff members associated with investigating and resolving a complaint or appeal are required to keep file notes of any related discussions or actions. Such file notes are to be marked ‘Strictly Confidential’ and be held in a secure restricted place. All official correspondence with the complainant/appellant will be retained in the same place.
2. Notes should be kept to a minimum stating only facts and relevant details as described by the parties. Dates and times of interactions should also be recorded.
3. All complaints and appeals including the nature of the complaint/appeal, the outcomes of the complaint/appeal will be recorded onto the Complaints & Appeals Register; and
4. Actions arising from our Complaints & Appeals Register will be used to continuously improve systems and operations.