

## Complaints Handling

The Institute of Education and Training is committed to providing a fair and transparent complaint handling process.

### What is a complaint?

A complaint is generally negative feedback about services or people which has not been resolved locally. It may involve issues concerning:

- Institute of Education and Training , its trainers, assessors or other staff;
- a third party's services provided on the Institute of Education and Training behalf, its trainers, assessors or other staff; or
- a learner of Institute of Education and Training.

### Early resolution of complaints

In all cases, issues that arise during training and assessment that are the source of frustration or are in dispute should be resolved at the time they occur between the persons involved. It is often the case that complaints can be avoided by proper communication and respect between persons involved.

### Relationship to continuous improvement

Frequently, the complaints handling process will expose weaknesses in the training and assessment or administrative system that can flow into the continuous improvement system as opportunities for improvement. This outcome of complaints handling is very positive and should be actively applied by all persons involved. It is for this reason that complaints received from stakeholders should be seen in a positive light and as opportunities for improvement.

### Making a complaint

A complaint may be received by the Institute of Education and Training in any form and does not need to be formally documented by the complainant in order to be acted on. Complaints may be made by any person but are generally made by students and/or employers.

To make a complaint, the person is recommended to complete the Institute of Education and Training - Complaint Form. This form is available via our website. The completed complaint form is to be submitted to the Office Manager either in hard copy or electronically. These instructions are detailed within the Student Handbook.

### Complaint handling principles

The Institute of Education and Training will apply the following principles to its complaints handling:

- A complaint may be received in any form (written, verbal) although persons seeking to make a complaint are recommended to complete the complaint form which is available to them on the website. There is no time limitation on a person who is seeking to make a complaint.
- A written record of all complaints is to be kept by the Institute of Education and Training including all details of lodgement, response and resolution. The complaints register within RTO Data is to be used to record the details of the complaint and to maintain a chronological journal of events during the complaint handling process. Records relating to complaint handling must be stored securely to prevent access to unauthorised personnel.
- A complainant is to be provided an opportunity to formally present his or her case at no cost.
- Each complainant may be accompanied and/or assisted by a support person at any relevant meeting.
- The complaints policy must be publicly available. This means that the complaints policy and procedure must be published on the Institute of Education and Training website.
- The handling of a complaint is to commence within **seven (7) working days** of the lodgement of the complaint and all reasonable measures are taken to finalise the process as soon as practicable.

- The complainant is to be provided a written response to the complaint, including details of the reasons for the outcome. A written response must be provided to the complainant within **fourteen (14) working days** of the lodgement of the complaint.
- Complaints must be resolved to a final outcome within **sixty (60) calendar days** of the complaint being initially received. Where the Institute of Education and Training Chief Executive Officer considers that more than 60 calendar days are required to process and finalise the complaint, the CEO must inform the complainant in writing, including reasons why more than 60 calendar days are required. As a benchmark, the Institute of Education and Training should attempt to resolve complaints as soon as possible. A timeframe to resolve a complaint within thirty (30) calendar days is considered acceptable and in the best interest of the Institute of Education and Training and the complainant. A complainant should also be provided with regular updates to inform them of the progress of the complaint handling. Updates should be provided to the complainant at a minimum of **four (4) weekly intervals**.
- The Institute of Education and Training shall maintain the enrolment of the complainant during the complaint handling process.
- Decisions or outcomes of the complaint handling process that find in the favour of the student shall be implemented immediately.
- Complaints are to be handled in the strictest of confidence. No Institute of Education and Training representative is to disclose information to any person without the permission of the Institute of Education and Training Chief Executive Officer. A decision to release information to third parties can only to be made after the complainant has given permission for this to occur. This permission should be given using the Information Release Form.
- Complaints are to be considered and handled to ensure the principles of natural justice and procedural fairness are applied at every stage of the complaint handling process. This means that the complainant and any other parties are entitled to be heard with access to all relevant information and with the right of reply. The complainant or any other party is entitled to have their complaint heard by a person that is without bias and may not be affected by the decision. Finally the decision must be made based on logical evidence and the decision-maker must take account

of relevant considerations, must act for a proper purpose and must not take into account irrelevant considerations. Further guidance on principles of natural justice and procedural fairness can be accessed at the following link: [Principles of Natural Justice and Procedural Fairness](#)

### Third Party Review

Where the person making a complaint is not satisfied with the handling of the matter by the Institute of Education and Training, they have the opportunity for a body or person that is independent of Institute of Education and Training to review his or her complaint following the internal completion of complaint handling process. In these circumstances the Institute of Education and Training Chief Executive Officer will advise of an appropriate party independent of the Institute of Education and Training to review the complaint outcome (and its subsequent handling) and provide advice to the Institute of Education and Training in regards to the recommended outcomes. The independent third-party is required to respond with their recommendations within **fourteen (14) working days** of their review being requested. This advice is to be accepted by the Institute of Education and Training as final, advised to the person making a complaint in writing and implemented without prejudice.

Where the Institute of Education and Training appoints or engages an appropriate independent person to review a complaint, the Institute of Education and Training will meet the full cost to facilitate the independent review. Where the person seeking an appeal objects to this appointment and requests to engage a person or organisation they nominate to undertake the review, the Institute of Education and Training, will first need to approve this person or organisation and may seek the person making a complaint to contribute to the cost of engaging this person or organisation to undertake the review. This is advised to the person making a complaint within the Student Handbook.

### Unresolved Appeals

Where the person making a complaint remains not satisfied with the outcome of the complaint handling procedure, the person making a complaint is to be directed to the following external agencies:

- In relation to consumer protection issues, these may be referred to the **Office of Fair Trading**.
- In relation to the delivery of training and assessment services, these may be referred to the **National Training Complaints Service** via the following phone number: 13 38 73.

This guidance is communicated to students within the Student Handbook. It is expected that the above agencies will investigate the persons concerns and contact the Institute of Education and Training for information.

The Institute of Education and Training is to cooperate fully with agencies such as the National Training Complaints Service, the Office of Fair Trading or ASQA that may investigate the handling of a complaint. Institute of Education and Training considers that it would be extremely unlikely that a complaint is not able to be resolved quickly within the Institute of Education and Training internal arrangements.

### **Complaints Handling Procedure**

Matters that cannot be resolved at the time they occur should be referred to the Institute of Education and Training Chief Executive Officer for review. The following procedure is to be followed when a complaint form is received:

- A Complaints Form is received by Institute of Education and Training and is to be immediately recorded into the Institute of Education and Training Complaints and Appeals Register.
- Complaints which are received in other forms such as phone or email are to be detailed on a Complaints and Appeals Form by the person (staff member) receiving the complaint and then recorded in the Complaints and Appeals Register.
- The Complaints and Appeals Form is to be forwarded to the Chief Executive Officer who is to review the matter and make recommendation as to how to respond to the matter.
- The Chief Executive Officer may choose to make inquiries about the matter or may task another person to research the matter against relevant policy.
- The Chief Executive Officer (or delegate) may choose to consult with the complainant, with others within the Institute of Education and Training or relevant

agencies external to the Institute of Education and Training in determining their recommendations.

- The Chief Executive Officer (or delegate) is to commence their review of the complaint within **seven (7) working days** from the date the complaint was submitted.
- The Chief Executive Officer (or delegate) is to finalise their response to the complainant and provide the complainant a response as soon as possible but no later than **fourteen (14) working days** from when the complaint was submitted.
- The Chief Executive Officer (or delegate) is to communicate the response to the complainant personally either during a meeting or via the telephone. Complaint responses are not to be provided to the complainant via any third-party or via electronic communication such as e-mail. The Chief Executive Officer (or delegate) is to seek feedback from the complainant about their level of satisfaction with the complaint outcome and advise the complainant of their options if they are not completely satisfied with the outcome.
- Where the complainant is not satisfied with the outcome of the complaint handling, the Chief Executive Officer (or delegate) is to arrange for the complaint to be considered by an appropriate independent third-party (appointed by the CEO). The independent third-party is required to respond with their recommendations within **fourteen (14) working days** of their review being requested.
- A complainant who remains not satisfied with the process applied by the Institute of Education and Training may refer the matter to the Office of Fair Trading (in relation to consumer protection matters) or National Training Complaints Service via the following phone number: 13 38 73.
- The response to the complainant must include information that demonstrates that the matter was thoroughly reviewed and what actions and outcomes have been identified as a result of the complaint.
- Opportunities for improvement that were identified as a result of the complaint are to be recorded in a Continuous Improvement Report and submitted for the next Management Team meeting. The Chief Executive Officer (or delegate) may, at his or her discretion, follow-up with the complainant after consideration by the

Management Team to inform the complainant of the improvement actions identified.

The Complaints and Appeals Register is to be kept up to date at all times to accurately reflect how the matter was responded to and the duration from the date the complaint was received to the date the complaint was resolved. Complaints and appeals which are open or subject to ongoing consideration are discussed at the management meeting as detailed within the agenda.

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