

## Complaints and Appeals Policy

### Purpose

NAHB is committed to providing quality training and assessment in accordance with the Standards for Registered Training Organisations (SRTOs 2015). As such, is required to have a policy and processes in place to manage and respond to allegations involving the conduct of staff, learners and third party training and assessment providers who provide services on behalf of NAHB.

This policy is based on providing and maintaining training and assessment services that are fair and reasonable and afford a forum where issues or inadequacies can be raised and resolved. This process provides opportunity for complaints to be recorded, acknowledged and dealt with in a fair, efficient and effective manner.

The object of this policy is to ensure that staff act in a professional manner at all times. This policy provides clients with a clear process to register a complaint. It ensures all parties involved are kept informed of the resulting actions and outcomes.

### Scope

The policy covers the handling of both academic and non-academic disputes or complaints.

An academic complaint can be brought where a complainant feels that his or her academic progress, assessment, curriculum and award in a course of study have not been handled fairly and within the organisation's policies and procedures.

A non-academic complaint can be brought where a complainant feels that he or she has been unlawfully discriminated against, harassed, vilified or victimised based on his or her rNAHB, ethnic origin, nationality, gender, sexual preferences, marital status, pregnancy or potential pregnancy, age, disability and trade union or political affiliation.

All complaints and Appeals will be handled professionally, equitably, confidentially and in a timely manner, with a view to achieving a satisfactory resolution.

A complaint may include allegations involving the conduct of NAHB :

- its trainers, assessors or other staff; or
- A third party providing services on behalf of NAHB , its trainers, assessors or other staff; or
- A learner of NAHB .

### Responsibilities

The CEO of is the Complaints Resolution Officer. The CEO may delegate responsibility for the resolution of the complaint if necessary.

Details concerning the scope of the Complaints Policy are to be clearly displayed throughout the organisation and contained within the Staff Induction Process, Student Handbook and website.

## Definitions

The following words and expressions have the following specific meaning, as in the Standards for Registered Training Organisations (RTOs) 2015.

**Complaint** – a statement that something is unsatisfactory or unacceptable which requires a systematic or formal resolution.

**Complaints can include but not limited to the following;**

- Enrolment process
- Processes
- The quality of the training delivery
- Assessment outcomes/including recognition of prior learning
- Issuing of results, certificates and /or statements of attainment
- Any other activities associated with the delivery of training and assessment services
- Conduct of the RTO in regards to its recipients
- Conduct of other students
- Issues arising from third party providers on behalf of the RTO
- Other issues such as;
  - discrimination, sexual harassment, victimisation, disability discrimination and bullying

**Appeal** – to apply to a higher authority or external body for review of how a complaint process was handled or in relation to an unfavourable decision made against them including assessment result outcomes.

**External Appeal** - A request for an independent, external review of a decision and handling of a particular scenario.

**Third party means** any party that provides services on behalf of the RTO but does not include a contract of employment between an RTO and its employee.

## Policy Principles

In managing complaints and appeals, NAHB will ensure that:

1. The principles of natural justice and procedural fairness are adopted at every stage of the complaint process.
2. The complaints and appeals policy is publicly available.
3. There is a procedure for making a complaint.
4. Complaints and appeals are treated seriously and dealt with promptly, impartially, sensitively and confidentially.
5. Complaints and appeals will be resolved on an individual case basis, as they arise.
6. All clients have the right to express a concern or problem and/or lodge a complaint if they are dissatisfied with the training and assessment services that they have been provided (including through a third party) or the behavioural conduct of another learner.
7. All complaints are acknowledged in writing and finalised as soon as practicable.
8. The complaint resolution procedure is based on the understanding that no action will be taken without consulting the complainant and respondent, using a process of discussion, cooperation and conciliation.
9. The rights of the complainant and respondent will be acknowledged and protected throughout the complaint resolution process, including the conduct of separate interviews initially.
10. In the interest of confidentiality, the number of people involved in the resolution process will be kept to a minimum.
11. Final decisions will be made by the CEO or an independent party to the complaint.

12. The complaint resolution procedure emphasises mediation and education while acknowledging that in some instances formal procedures and disciplinary action may be required.
13. If the complaints process fails to resolve the complaint or the complainant is not satisfied with the outcome of the complaint the matter will be referred to an independent third party for review, at the request of the complainant. All costs incurred for the third party review will be advised to the complainant.
14. If the complaint/appeal procedure will take in excess of 60 calendar days to finalise will inform the complainant in writing providing the reasons why more than 60 calendar days are required. The complainant will also be provided with regular updates on the progress of the complaint.
15. Victimisation of complainants, respondents or anyone one else involved in the complaint resolution process will not be tolerated.
16. All complaints/appeals will be handled as Staff-In-Confidence and will not affect or bias the progress of the client in any current of future training.

### **Process**

#### Step 1- Internal informal procedure

- a) Students (complainants) are encouraged to speak directly with their teacher or a Student Services Officer regarding any concerns or grievances they have in relation to the course, assessments or services provided.
- b) If, within 5 working days, the complainant feels that the outcome of their discussion is not satisfactory then they are encouraged to lodge a formal complaint.

#### Step 2- Internal formal procedure

- a) The complainant should lodge a signed written complaint, using the 'Complaints and Appeals' form to the Student Services Officer who will inform the CEO of the lodgement of the complaint.
- b) Complaints are to be made in writing within 7 calendar days of the incident using the Complaints Form.
- c) A submitted complaint form will constitute a formal complaint from the client. Further detail of the complaint can be provided by the client verbally.
- d) The resolution process will begin once the formal submission is received from the complainant.
- e) The CEO must be informed of receipt of all complaints immediately.
- f) The CEO may delegate responsibility for the resolution of the complaint.
- g) A meeting will be arranged whereby the each complainant has the opportunity to present his/her case to the person designated by the CEO.
- h) Importantly, students may be accompanied by a support person (for e.g. another student, a relative, a teacher or a bilingual counsellor).
- i) The CEO will review the evidence of the case and notify the student of his or her recommendation in writing.
- j) Complaints, where possible, are to be resolved within 14 calendar days of the initial application.
- k) An outcome will be reached and a response given to the complainant in writing no more than 7 working days of resolution.
- l) In all cases the final conclusion will be assessed by the CEO.
- m) If the outcome of the process is satisfactory to the complainant, the institute will advise the complainant immediately and implement any decision and/or corrective and preventative action required.
- n) If the outcome is not to the satisfaction of the Client, they may seek an appointment with the CEO

- o) If the client is still not satisfied with the decision they have the option to seek outside assistance to pursue the complaint.
- p) All complaints and appeals are filed into the Complaints and Appeals Register along with the action taken.

### Step 3- External Appeals procedure

An external review may be appropriate where all internal complaints and appeals processes have been exhausted. The complainant can make a complaint to the following;

Australian Skills Quality Authority (ASQA) - <http://www.asqa.gov.au/complaints/make-a-complaint---domestic-students/make-a-complaint---domestic-students1.html>

Consumer Affairs Australia - <https://www.consumer.vic.gov.au/contact-us>

Victoria Equal Opportunity and Human Rights Commission -  
<http://www.humanrightscommission.vic.gov.au/index.php/about-us/contact-us>

### **Access & Equity**

The Access & Equity Policy applies. (See Access & Equity Policy)