

TOPIC: COMPLAINTS AND APPEALS PROCESS

PURPOSE

To provide fair and equitable procedures that support the provision of constructive and timely resolution of complaints and appeals.

SCOPE

This procedure applies to all students of Brite Institute, including off-campus students.

REFERENCES

- F5115 Student Acceptance Agreement
- F5004 Student Handbook
- F5045 Complaints and Appeals Form
- F5047 Assessment Appeals Form
- F5105 Complaints/Appeals Follow up Form
- WI1004 Continuous Improvement Process

Complaints and Appeals Register available to Management at W:\MGMT\Complaints and appeals

DEFINITIONS

Complaint	<p>A registered expression of dissatisfaction with service. A complaint relates to a specific episode, occurrence or failure in the provision of Brite Institute's service or activities that has resulted in an impact on an individual or group.</p> <p>A general expression of concern is not a complaint.</p> <p>A complaint may include, but is not limited to:</p> <ul style="list-style-type: none"> • Program advice and enrolment • Suspension and/or cancellation of enrolment • Program delivery • Marketing and promotional activity • Personal safety • Customer service and administration
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ISSUE	REVISION DESCRIPTION	DATE
8	Change of form F5115 name and location of Complaints and Appeals Register	27/11/2014

	<ul style="list-style-type: none"> • Issuing of results, certificates, statement of attainment • Training resources • Fees and charges • Equity and access, discrimination, harassment and bullying • Assessment process and feedback
Appeal	<p>A <u>formal</u> request for reconsideration of a decision that has already been made.</p> <p>Appeals can be against the decision (outcome) reached through Brite Institute’s Student Complaints and Appeals Policy (P103) and the procedures within this Work Instruction, against assessment decisions, or other decisions made by Brite Institute staff and/or management..</p>
Advocate	<p>A person/s who will support or represent the person lodging the complaint.</p>

RESPONSIBILITIES

EXECUTIVE OFFICER

It shall be the Executive Officer’s responsibility to ensure that all complaints and appeals are handled in a fair and objective manner in accordance with this procedure.

OTHER RESPONSIBILITIES

All other responsibilities are specifically identified in the body of the instruction.

PROCEDURE

THE INFORMAL COMPLAINT PROCEDURE

(Appeals must be resolved by following the formal procedure only).

1. Brite Institute will inform students of the complaints and appeals policy verbally at enrolment and in written form through the Student Acceptance Agreement (F5115), the Student Handbook (F5004) and on Brite Institute’s website.
2. Students will be encouraged to raise complaints relating to training or other services provided by Brite Institute.
3. Students shall be encouraged, in the first instance, to approach the Brite Institute staff member, another staff member or the EO to informally address and resolve the complaint for the student.

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4. Every effort shall be made by the first point of contact for the complaint to resolve the matter.
 5. As a general statement of policy, Students should feel free to approach any member of staff to air any complaint. However, policies and practices shall be followed by Brite Institute staff in order to ensure that complaints are dealt with efficiently, consistently, fairly and justly.
 6. Where at all possible, on the day of receiving the complaint, the staff member who receives the complaint shall:
 - (a) advise the Assistant RTO Manager or EO to identify which staff member will handle the complaint from that point; and
 - (b) email details of the informal complaint to the Audit and Compliance Coordinator.
 7. The Audit and Compliance Coordinator shall enter sufficient details of the informal complaint in the Complaints and Appeals Register within one working day of being advised of the complaint or appeal.
 8. The staff member allocated responsibility for handling the complaint (in point 6(a) above) shall:
 - (a) work to resolve the complaint quickly and in a manner that is acceptable to all parties concerned; and
 - (b) update the Complaints and Appeals Register with the outcome of the complaint within ONE working day of the complaint being resolved.
 9. If the informal complaint remains unresolved two weeks after the initial contact, the student may submit details of the complaint in writing via the completion of a Complaints and Appeals Form (F5045) or an Assessment Appeals Form (F5047). This is the commencement of the Formal Complaints and Appeals Procedure.

THE FORMAL COMPLAINTS AND APPEALS PROCEDURE

1. An appeal can only be made within 10 working days of the decision being made or the date the student becomes aware of the decision (whichever is the latter).
2. The completed Complaints and Appeals Form or Assessment Appeals Form shall be submitted to the Assistant RTO Manager (referred to as the 'Administrator').
3. Upon receiving the Complaints and Appeals Form or Assessment Appeals Form, the Administrator shall register the details of the complaint on the Complaints and Appeals Register (F5046). The complaint does not have to be registered a second time in the Complaints and Appeals Register, if it has not been registered as an informal complaint.
4. The Administrator shall forward the completed Complaints and Appeals Form to the Executive Officer.
5. As a matter of priority, the Executive Officer shall meet with all parties concerned either individually or together with the aim of satisfactorily resolving the complaint.

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6. The student may be accompanied to the meeting and/or represented by an advocate of their choice.
 7. A fair and reasonable timescale (**within one month**) shall be set by the EO to investigate and make a decision on the complaint or appeal. The student shall be advised of the set timeframe.

The student cannot be disadvantaged by through the setting of this timeline.
 8. The outcome of the Executive Officer's decision will be forwarded, in writing, to the parties involved in the complaint by the set date.
 9. If the complaint or appeal is resolved at this stage, the Administrator will:
 - record the outcome of the Complaint or Appeal in the Complaints Register (F5046)
 - complete and implement the Formal Complaints/Appeal Follow Up Form (F5105)
 - file the completed F5105 form in the individual student's Administration file.
 10. The EO shall determine if any current policy and/or practice shall be reviewed and will allocate this to a staff member. Any change in policy and or process to avoid similar complaints in the future, shall be advised to staff via the Continuous Improvement process.

APPEALING THE OUTCOME

1. If the student is not satisfied that the complaint has been resolved then he/she may write to the EO requesting the formation of a Complaints / Appeals Committee to consider the matter.
2. The Complaints/Appeals Committee shall comprise the EO, the Audit and Compliance Coordinator, two members (not employed by Brite Institute) from the training industry and a Brite Institute Board member.
3. Where at all possible, a meeting of the Complaints/ Appeals Committee together with you and any other relevant parties shall be organised **within two weeks** of the EO receiving your written request.
4. The student shall be advised that they may be supported or represented by a support person of their choice at the meeting.
5. The Complaints / Appeals Committee will determine an outcome based on a majority vote within one week of the meeting, and the Audit and Compliance Coordinator will communicate the outcome in writing to all parties directly involved in the matter.
6. The decision of the Complaints / Appeals Committee will be final.
7. If the student does not accept the resolution from the Committee, then the Audit and Compliance Coordinator shall advise the student he/she may contact the Victorian Registration and Qualifications Authority (VRQA) who investigate complaints against Victorian registered training organisations (RTOs) or another independent authority.

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8. The student shall be referred to Brite Institute's Student Handbook (via www.briteind.com.au) or sent the "INDEPENDENT AUTHORITY CONTACT INFORMATION" below:
 9. The Administrator will lodge copies of the Appeal outcome in the Complaints and Appeal Register (F5046), and attached to the original Formal Complaints/Appeal Follow Up Form (F5105) in the individual student's Administration file.
 10. The EO shall determine if any current policy and/or practice shall be reviewed and will allocate this to a staff member. Any change in policy and or process to avoid similar complaints and appeals in the future, shall be advised to staff via the Continuous Improvement process.
 11. The Audit and Compliance Coordinator will review the Complaints and Appeals Register at each Continuous Improvement Meeting or once a month to ensure all complaints/appeals are followed up and to identify if any emerging patterns can be identified or the system improvements are required.

INDEPENDENT AUTHORITY CONTACT INFORMATION

The VRQA website is <http://www.vrqa.vic.gov.au/complaints/vet.htm>

Complaints the VRQA CAN investigate	Complaints the VRQA CAN'T investigate
<ul style="list-style-type: none"> ▪ the quality of training at the RTO (for example training is too short, disorganised, not relevant) ▪ the way the RTO assesses students ▪ the qualifications of Trainers/assessors ▪ the quality of staff, facilities, equipment and materials ▪ the information the RTO gives students before they enrol ▪ the way the RTO handles complaints and appeals ▪ the RTO not giving students their results ▪ student support services ▪ problems with certificates and result statements the RTO issues ▪ marketing materials ▪ any other potential breach of the Standards. To find out more, read the AQTF 2007 Essential Standards for Registration. 	<ul style="list-style-type: none"> ▪ an RTO not giving you a refund ▪ the fees an RTO charges ▪ personal disputes between staff and students ▪ employment issues (for example staff pay and conditions) ▪ unofficial or non-accredited training the RTO runs. ▪ However, there are other government agencies (listed below) that may be able to handle these types of complaints.

The following agencies handle complaints about the VRQA/review VRQA decisions:

- Victorian Ombudsman and
- Victorian Privacy Commissioner

For complaints that the VRQA cannot investigate the student may be referred to the following agencies:

- Complaints about refunds, fees and charges:
 - Consumer Affairs Victoria
 - Helpline: 1300 55 81 81
 - Email: consumer@justice.vic.gov.au
 - Website: www.consumer.vic.gov.au

- Complaints about apprenticeships and traineeships:
 - Apprenticeships Administration Branch (Skills Victoria)
 - Apprenticeships Hotline: 1300 722 603
 - Find an Apprenticeships Field Officer: <http://www.otte.vic.gov.au/aptvicapp.asp>

- Complaints about employee issues such as staff entitlements and other workplace issues:
 - The Workplace Authority
 - Workplace Infoline: 1300 363 264
 - Web: www.workplaceauthority.gov.au

- Victorian Office of the Workplace Rights Advocate

Workplace Rights Information Line: 1300 882 648

Web: http://www.business.vic.gov.au/BUSVIC/LANDING//pc=pc=PC_61267.html

- Complaints about occupational health and safety:
WorkSafe Victoria Advisory Service
Phone: (03) 9641 1444 or 1800 136 089 (toll free).
Email: info@worksafe.vic.gov.au
Web: www.worksafe.vic.gov.au

- Complaints about discrimination:
Federal Human Rights and Equal Opportunity Commission
Phone: 1300 656 419 (local call) or 02 9284 9888
Email: complaintsinfo@humanrights.gov.au
Web: http://hreoc.gov.au/complaints_information/index.html