



Complaints and Appeals Handling Policy and Procedure

This Complaints and Appeals Handling Policy and Procedure is used for all academic and non-academic complaints and can be accessed by all stakeholders.

1. Policy

Work Skills is committed to developing and maintaining an effective, timely, fair and equitable complaints and appeals handling process, which is easily accessible. Our Complaints and Appeals Handling Policy and Procedure has been designed using the Principles of Natural Justice and Procedural Fairness

We view any complaints as valuable feedback and aim to address this feedback with a solution-focused approach. Work Skills believes that every person has the right to be:

- heard.
- understood
- appreciated.

Work Skills aims to:

- develop a culture that views complaints as an opportunity to improve the performance of the organisation
- set in place a complaints handling system that is person-focused and helps Work Skills to prevent complaints from reoccurring
- ensure that any complaints are resolved promptly, objectively, with sensitivity and in complete confidentiality
- ensure that the views of each complainant and respondent are respected and that any party to the complaint is not discriminated against or victimised
- ensure that there is a consistent response to complaints.

A complaint can be defined as an individual or business expression of dissatisfaction with any aspect of Work Skills service and activities, including both academic and non-academic matters such as:

- The enrolment and induction process.
- The quality of education and training provided.
- Academic issues, including student progress, assessment decisions, unit of competency selection and qualification or statement of attainment issuance.
- Handling of personal information and access to personal records.
- The way someone has been treated.

2. Definitions

WORK SKILLS refer to the registered training organisation EC Training Pty LTD T/A Work Skills.

GRIEVANCE – INFORMAL COMPLAINT refers to a concern about academic matters, perceived discrimination, a situation, a process, a person or people, a facility or a support service provided by Work Skills, which the individual brings to the attention of Work Skills in an informal way, i.e. it is discussed, not written down.

COMPLAINT refers to a formal complaint which may take place if a grievance / informal complaint cannot be resolved informally.

COMPLAINANT refers to the person(s) who formally instigates a complaint.

RESPONDENT refers to the person(s) or institute against whom the complaint is lodged.

FORMAL COMPLAINT refers to the formal lodging of a written complaint.

APPEAL refers to the process if an individual is dissatisfied with a decision made by Work Skills; the individual has a right to have the decision reviewed. This includes decisions relating to complaint outcomes and assessment appeals.

APPELLANT refers to the person(s) who formally instigates an appeal.

PERSON refers to a trainee, apprentice, student, employer, parent/guardian, current or prospective customer, third party, contractor, employee or any other individual or representative of an organisation.

3. Policy Coverage

This policy is designed to cover all complainants including but not limited to:

- Trainees and/or apprentices currently participating in Government Funded Programs.
- Students who are Fee for Service (FFS), including those students undertaking Recognition of Prior Learning (RPL) assessment.
- Employers or supervisors of Work Skills trainees, apprentices or students.
- Parents/guardians of Work Skills Trainees, apprentices or students under the age of 18 years.
- Staff members employed by Work Skills and any Third Party that provides services on behalf of Work Skills.

The complaints procedure will be made available to the complainant regardless of their location or where the complaint has arisen.

4. Grievance - Informal complaint - Before an issue becomes a formal complaint

An Informal Complaint is encouraged, wherever possible, to resolve concerns informally with the person(s) concerned.

Complainants may raise an informal complaint by contacting Work Skills in person or by calling 1300 360 567 and asking to speak to the respective Manager. Additionally, if a client submits a request or query via our website, or through our Learning Management System, a Manager will make a phone call to the complainant to address the issues.

5. Procedure

This procedure can be utilised by complainants to submit a complaint of an academic or non-academic nature. Complaints of an academic nature may include issues relating to student progress, assessment decisions, unit of competency selection, qualification and statement of attainment issuance. Complaints of a non-academic nature may cover all other matters, including complaints in relation to the personal information that Work Skills retain in relation to an individual.

During all stages of this procedure Work Skills will take steps to ensure that:

- the complainant and any respondent will not be victimised or discriminated against
- the complainant has an opportunity to fully present their case
- the complainant is allowed a support person at any relevant meetings
- all outcomes are recorded in the Work Skills Complaints and Appeals Register
- Work Skills will provide, in writing, any decisions or actions taken as part of the process to the complainant or respondent, if so requested
- where the internal or external complaint handling or appeal process results in a decision that supports the complainant, Work Skills will immediately implement any decision and/or corrective action required and advise the complainant of the outcome
- there is no cost to the complainant in utilising this complaint procedure.

5.1 Stage one – Formal Complaint

Formal complaints are used when the issue cannot be amicably resolved at the informal level and the client wishes to escalate the issue. Formal Complaints must be submitted, in writing, to Work Skills with the details of the complaint.

Send the complaint to:

The Director
Work Skills
Po Box 247
Cannon Hill
QLD 4170

Or Email: compliance@workskills.com.au

Receipt of the complaint will be acknowledged in writing. The complaints handling process will commence within ten working days of the receipt of the formal complaint and all reasonable measures will be taken to finalise the process as soon as practical.

The Director will nominate, if necessary, the appropriate Manager to handle the complaint.

The Manager will seek to clarify the outcome that the complainant hopes to achieve. Such clarification may be sought by written request, verbal request by phone or face-to-face interview with the complainant. When such clarification occurs in a face-to-face interview the complainant or respondent may ask another person to accompany them.

The Manager will then endeavour to resolve the complaint and will provide a written report to the complainant on the steps being taken to address the complaint, including the reasons for the decision, within ten working days. The report will further advise the complainant of their rights to access the Internal Appeals Process (as per section 5.2) if they are not satisfied with the outcome of their formal complaint. (NOTE: All decisions are based on the logical evidence obtained throughout the proceedings).

In the event that Work Skills cannot process your complaint within 60 days, we will notify you of this and the reasons for this. Work Skills will keep you updated through the process via email.

5.2 Stage two – Internal Appeal Process

If a complainant is dissatisfied with the outcome of their formal complaint, they may

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wish to lodge an internal appeal, in writing, with the Director (the most senior position in the organisation). This should be submitted within 21 days from the date of the original decision from the formal complaint. The Director will appoint an appropriate person or panel to consult with the appellant and other relevant parties within 10 working days to obtain any further evidence or details, that may not have already been disclosed, to support the appeal. All meetings are to take place at Work Skills place of business, unless otherwise agreed.

Where possible, such consultation should take the form of face-to-face interviews. The appellant or respondent may ask another person to accompany them to these interviews.

Following the consultation, the Director, or their nominee, will provide a written report to the appellant advising the further steps taken to address the appeal, including reasons for the decision, within 10 working days (NOTE: All decisions are based on the logical evidence obtained throughout the proceedings). The report will further advise the appellant of their right to access the external appeals process if they are not satisfied with the outcomes of their internal appeal.

In the event Work Skills cannot process your appeal within 60 days, we will notify you of this and the reason why. Work Skills will keep you updated through the process via email.

5.3 Stage three – External appeal

If the appellant is dissatisfied with the outcome of their internal appeal, they may wish to lodge an external appeal. To further appeal the decision you may lodge an external appeal with the Administrative Appeals Tribunal (AAT). To lodge an application with the Administrative Appeals Tribunal there is a fee to be paid. In certain circumstances the fee may be reduced, however there are terms and conditions that apply. For further information on how to lodge an appeal and associated costs, please contact the Administrative Appeals Tribunal. Their office hours are Monday to Friday 8.30am to 5.00pm. The phone number is 1800 228 333. (Calls are free from landline phones, however, calls from mobiles may be charged) or email enquiries@aat.gov.au

For students, with training related issues, that have not been resolved to their satisfaction, [asqaconnect](#) provides an area where complaints can be lodged and investigated.

6. What we do with the results of your complaint or appeal

If the issues that arose from the complaint are of a nature that can be used to improve the Work Skills services, the details of the complaint will be brought to the Work Skills

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Management meeting for discussion. The management group will determine the cause(s) of the issues and what steps can be taken or improvements made to ensure it does not happen in the future. This will be recorded in minutes of the meeting. Work Skills will immediately implement any decision and/or corrective action required.

Additionally, Work Skills keep a register detailing all complaints. The purpose of this is to regularly review the register to see if there are any common issues and then use this information to improve our services.

7. Record keeping and confidentiality

All completed reports and correspondence handled under this procedure and the related outcomes will be stored with the student's file and a separate electronic copy will be saved in our Complaints and Appeals folder on the Work Skills server.

Work Skills will retain digital records relating to the complaints handling for a minimum of five (5) years. All paper based records will be securely destroyed as per the Work Skills Document Retention Policy and Procedure.

All records relating to the complaint will be treated as confidential, along with all other student records. Work Skills complies with the *Privacy Act 1988* and students may apply for and receive a copy of the personal information held by Work Skills that relates to this procedure.

8. Approval, publication and training

This Policy and Procedure was agreed to and ratified by the Directors of Work Skills in June 2020 and is reviewed annually. This Policy and Procedure is made available to individuals, students, prospective students and other stakeholders through information in our Learner Handbook and on the Work Skills website www.workskills.com.au.

Students are directed to this website during enrolment. For the purpose of training and communicating, this Policy and Procedure is included in our staff induction process and forms part of our ongoing professional development program.