

Title	Complaints Policy & Procedure		
Date of Endorsement	12 th October 2019	Review Date	13 th October 2021
Review Panel	The Executive Director, the Principal of the School, and the relevant members of the Board of Directors should be involved in the review of this Policy and Procedure		
Scope	This Policy and Procedure is in relation to all matters, excluding academic complaints and appeals in any field of education or appeals in relation to withdrawal of placement at Alesco Senior College. This policy is also not in regards to Human Resources Grievances and Complaints for internal staff matters. The scope includes all campuses and facilities where training is conducted by Atwea College, and applies regardless of the complainants place of residence/location and regardless of the mode of study.		

GUIDING PRINCIPLES

- The principles of natural justice and procedural fairness are adopted at every stage of the complaint process.
- The complaints policy is publicly available.
- There is a procedure for making a complaint.
- Complaints are treated seriously and dealt with promptly, impartially, sensitively and confidentially.
- Complaints will be resolved on an individual case basis, as they arise.
- All stakeholders have the right to express a concern or problem and/or lodge a complaint if they are dissatisfied with the services that they have been provided (including through a contracted third party) or the behavioural conduct of another learner.
- All complaints are acknowledged in writing and finalised as soon as practicable.
- 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.
- The rights of the complainant and respondent will be acknowledged and protected throughout the complaint resolution process, including the conduct of separate interviews initially where necessary.
- In the interest of confidentiality, the number of people involved in the resolution process will be kept to a minimum.
- Final decisions will be made by the Executive Director Atwea College or Principal of Alesco Senior College or an independent party to the complaint.
- The complaint resolution procedure emphasises mediation and education while acknowledging that in some instances formal procedures and disciplinary action may be required.
- 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.

- If the complaint will take in excess of 60 calendar days to finalise Atwea College 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.
- Victimisation of complainants, respondents or anyone one else involved in the complaint resolution process will not be tolerated.
- All complaints will be handled as Staff-In-Confidence and will not affect or bias the progress of the stakeholder in any current or future training.

DEFINITIONS

Feedback is defined as information provided to the organisation that does not require action to resolve, but rather does require attention to improve for future instances.

A Level 1 complaint is defined as the provision of information to any staff member that does require action to be taken to resolve but can be resolved in one step with no further investigation required.

A Level 2 complaint is defined as the provision of information which requires detailed information and investigation and cannot be resolved in a simple manner.

Action means any act big or small taken to rectify a problem

PURPOSE

Atwea is committed to timely resolution of feedback, complaints and grievances in a process that is easily accessible to all stakeholders, including the general public as well students, current and prospective.

Atwea is committed to providing quality services in accordance with;

- Standards for Registered Training Organisations (SRTOs 2015)
- NESA Registration and Accreditation requirements for Independent Non-Government Schools
- Standards for Higher Education Provision
- NSW Department of Fair Trading

As such, Atwea has 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 Atwea College. This policy is based on providing and maintaining 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 Atwea College staff act in a professional manner at all times. This policy provides stakeholders with a clear process to register a complaint. It ensures all parties involved are kept informed of the resulting actions and outcomes

POLICY

1. Complaints at Atwea College/Alesco Senior College

Atwea acknowledges the stakeholder's right to lodge a complaint when they are dissatisfied with the services and experiences that they have been provided by Atwea.

Atwea will ensure that stakeholders have access to a fair and equitable process for expressing complaints, and that Atwea will manage the complaint with fairness and equity.

In doing so, Atwea;

- Has written procedures in place for collecting and managing complaints in a constructive and timely manner.
- Ensures that these procedures are communicated to all staff, third party partners and stakeholders.
- Ensures that all necessary documentation and resources are in place to enable stakeholders to submit a complaint.
- Ensures that each complaint and its outcome is recorded in writing.
- Ensures that customer complaints and their outcomes are fed into continuous improvement initiatives.

A complaint may include allegations involving the conduct of;

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

The Executive Director of Atwea is the Complaints Resolution Officer for the organisation as a whole. The Principal of Alesco Senior College will act as the Complaints Resolution Officer for the Secondary School and will inform the Executive Director of the outcome of any complaints.

The Executive Director or Principal 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 or Teacher Induction Process, Student Handbooks and Atwea College and Alesco Senior College websites.

Feedback, complaints and grievances can be raised with any staff member of Atwea. When feedback is provided there are 2 actions to be taken;

1. The person receiving the information should inform the operational staff member or supervisor whom the information most relates to, and;
2. The information should be provided to QAC for lodging on the Continuous Improvement Register for planning and follow up.

For the purposes of Smart and Skilled, the Consumer Protection Officer who can assist you with the complaints process is the Senior Education Manager.

For the purposes of VET Student Loans, the VET Student Loans Ombudsman is also an external dispute resolution body to conduct investigations, and make recommendations in relation to VET loan assistance and compliance by VET providers. The VET Student Loans Ombudsman will report on its investigations and recommend that providers and others take action, or stop certain behaviour, to address identified problems and provide redress to affected students. Approved VET Student Loans providers are taken to be members of the external dispute resolution scheme (the VET Student Loans Ombudsman) for the purpose of meeting this obligation.

Students are encouraged to seek further information about how the VET Student Loans Ombudsman can assist at this stage of the Complaints process, or any other appropriate time, by visiting the website at www.ombudsman.gov.au/about/vet-student-loans-ombudsman.

Any resolution or feedback from an external review will be fed into Atwea's processes and procedures for Continuous Improvement and policies and procedures adjusted accordingly.

2. Grounds for feedback and complaints

1.1 Administrative feedback and complaints

These relate to decisions and actions associated with administrative services.

They include, but are not limited to;

- Administration of policies, procedures and rules by administrations
- Access to College resources and facilities
- Marketing and publicity activities

1.2 Staffing feedback and complaints

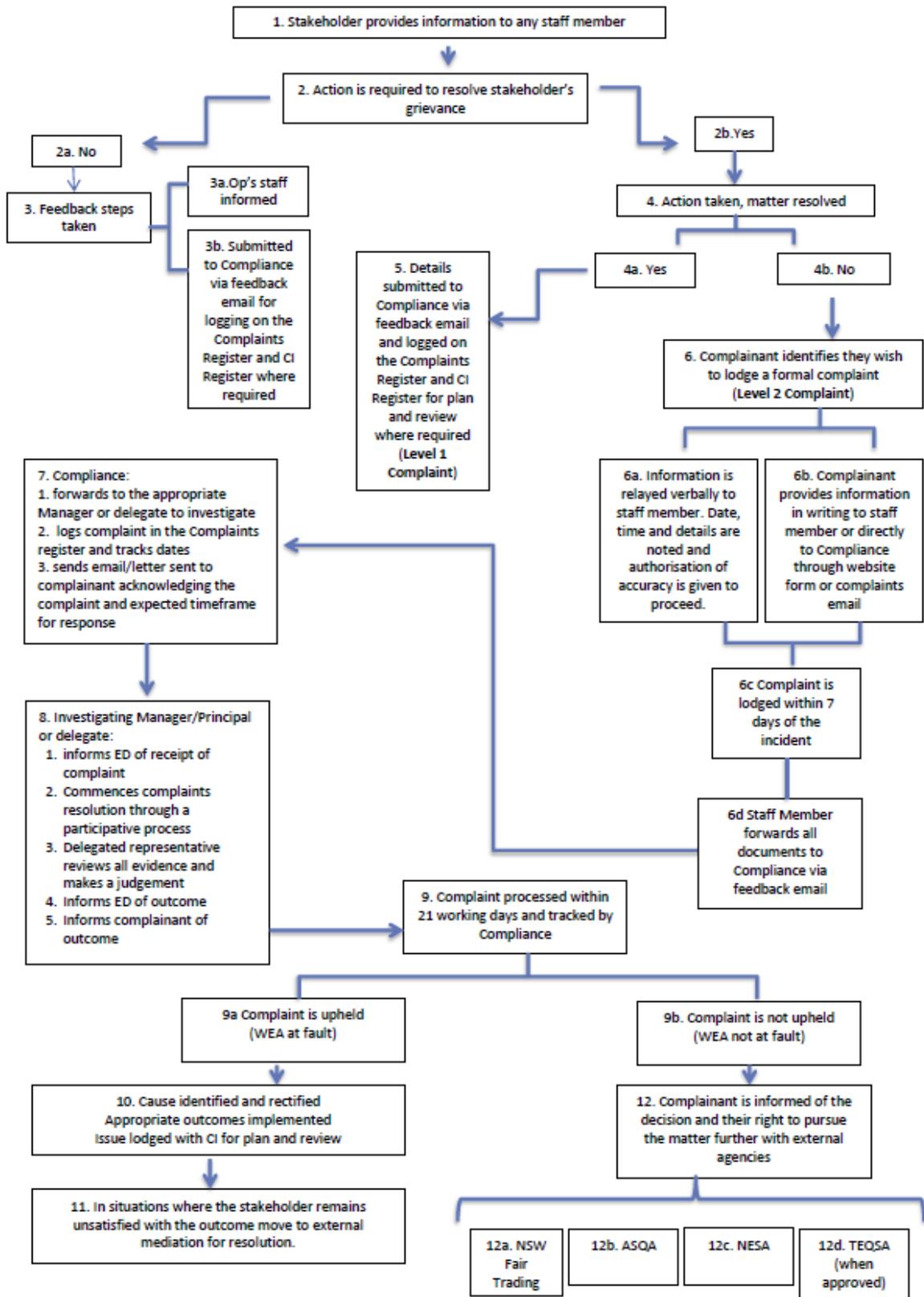
A stakeholder has valid grounds for making a complaint or appealing against a decision (relating to a formal complaint decision) where the stakeholder considers he/she has been adversely affected by;

- Improper, irregular or negligent conduct by a college staff member
- Failure by the staff member to act fairly
- A decision that has been made without sufficient consideration to facts, evidence or circumstances of specific relevance to the student (with exception to the withdrawal of placement of Alesco Senior College Students)
- Failure by the college to make a decision in a timely manner
- A penalty that, where applied, is or would be too harsh

1.3 Archiving

Atwea will keep on record all documentation relating to formal complaints for a period of **seven years**. All documentation is kept with the Compliance Unit, so that it can be recorded and acted upon for continuous improvement.

PROCEDURE



1. Any staff member of the organisation should provide an element of customer service which assists the organisation address areas of concern by stakeholders.

2. Action means any act big or small taken to rectify a problem.

2a. No action means you have received information ONLY and have had to get nothing, do nothing and tell no one to fix something.

2b. means you had to DO something. You had to tell someone, find something, get something, fix something.

3. When this occurs you still need to follow up so we can ensure that we are responsive to potential issues or address unresolved underlying concerns.

3a. It is good organisational communication to let the most appropriate operational staff member know about the feedback. We all can't be in all places so sharing of information is vital to ensuring we provide excellent quality service.

3b. The information should also be forwarded for lodging in the CI register. This is so we can check on any improvement strategies to ensure we improve for next time.

This can be done by emailing feedback@atwea.edu.au

4. This is the actions you undertook (as outlined in 2b) to rectify the problem and the issue is now resolved.

4a. The actions you took resolved the problem and the complainant is now satisfied with the service provision.

4b. Action was taken but the complainant is still aggrieved and wants further action

5. Notes about the nature of the complaint, when we were informed, to whom it was reported and what actions were taken to rectify the issue are to be provided to feedback@atwea.edu.au to be logged on the register and added to the CI register for follow up.

6. If the person is still aggrieved (see 4b) they can progress their complaint to a Level 2 complaint.

6a. If the complainant doesn't wish to put it in writing but it is still a serious issue that needs resolving it is acceptable that a staff member take a statement over the phone. The staff member will need to note the following details;

- Date of report
- Date of the issue
- Persons involved
- Nature of complaint
- Any desired outcome from the situation

The staff member needs to be sure to read the statement back to the complainant and have them agree that the details have been noted accurately and they didn't miss any details.

6b. The complaint may be in letter, email or social media message (screen captured for the file). The Complainant can send their complaint directly to Compliance via website form or email to complaints@atwea.edu.au

6c. The complaint must be received within 7 days of the incident occurring for the process of rectification to be authentic and meaningful.

6d. The staff member forwards all complaints documentation to feedback@atwea.edu.au for follow up.

7. Compliance logs the complaint in the Complaints Register, sends email/letter to the complainant notifying them that the complaint has been received and the timeframe for a response; and forwards the documentation through to the appropriate Manager or delegate to investigate. This includes:

- Alesco Senior College – Principal
- Higher Education – Senior Education Manager
- Vocational and Community Education – Vocational and Community Education Operations Manager

8. The responding Manager will follow each of the steps, without missing any, and as follows:

- informs ED of the receipt of the complaint
- commences complaints resolution through a participative process
- delegated representative reviews all evidence and makes a judgement
- informs ED of the outcome
- Informs the complainant of the outcome in writing

9. The complaint process will be completed within 21 working days. In the event that it will not be finalised in this time frame further communication with the complainant should be made to inform them of the progress and re-establish the expected timeframe.

9a. The Complaint is found to have substance and there were errors made by the organisation or school which requires rectification.

9b. After thorough investigation it is found that the organisation or school followed all policies, procedures, protocol and acted appropriately.

10. As a result of the investigation changes are made where appropriate (which may include disciplinary action against staff or changes to policy or procedure etc). The issue is closed in the complaints register but the adjustments are logged with CI register for follow up on the improvement strategies.

11. If the complainant is still not satisfied with the resolutions, processes and outcomes, the complainant has a right to an External Review. Due to our nature as a Not-For-Profit, community based organisation, Atwea has nominated NSW Community Justice Centres as a mediating body for this purpose:

NSW Lawlink Police & Justice – Community Justice Centres

Phone: 1800 990 777

Website: www.cjc.nsw.gov.au

In this situation Atwea agrees to:

- Provide referral information about the complaint to the Community Justice Centre in writing on behalf of the complainant (using the appropriate form on the Community Justice Centre website)
- Provide fact sheets and brochures (as published on the Community Justice Centre website) to the complainant so they can seek resolution through this method
- Participate in the External Review process with the Community Justice Centre wholly and in good faith and in the spirit of achieving resolution
- Provide any relevant information and documentation directly to the Community Justice Centre as requested

The complaint or grievance will then progress to resolution according to the Community Justice Centre's processes and timelines for resolution.

Any resolution or feedback from an external review will be fed into Atwea's processes and procedures for Continuous Improvement and policies and procedures adjusted accordingly.

12. The complaint is addressed in writing to the complainant outlying in what way it has been found that there is no complaint to answer to and how it is found that the organisation or school followed all policies, procedures, and protocol and acted appropriately.

At this time we will also inform the complainant with the right to pursue this matter still further through external agencies.

In this situation Atwea or Alesco will also:

- Provide contact information to the appropriate external body
- Provide fact sheets and brochures where available about how to progress a complaint further (as published on the agencies website) to the complainant so they can seek resolution through this method
- Participate in the External Review process with the external agency wholly and in good faith and in the spirit of achieving resolution
- Provide any relevant information and documentation directly to the external agency as requested

NSW Fair Trading

http://www.fairtrading.nsw.gov.au/ftw/About_us/Online_services/Lodge_a_complaint.page

ASQA

<https://www.asqa.gov.au/complaints>

NSW Education Standards Authority

<https://educationstandards.nsw.edu.au/wps/portal/nesa/regulation/cricos-label/raising-concerns>

TEQSA

<http://www.teqsa.gov.au/complaints>