REFERENCE FOR COMPLAINTS AND APPEAL POLICY & PROCEDURE

Complaints

Purpose
The purpose of this Policy is to provide a complaints handling framework for the professional and swift handling of complaints. This policy has been designed for complainants as well as complaint recipients. It will serve as a reference document on issues where a common interpretation is desirable. The general elements of this policy are to ensure commitment, fairness, responsiveness, charges and remedies that apply.

COMMITMENT

Training Sense is committed to providing a positive attitude towards consumers and resolving their complaints. We embrace that a consumer has the right to complain and to have the complaint handled professionally, fairly and swiftly. These complaints provide feedback about our services and give us the opportunity to maintain confidence in our training services.

Note: This policy is adapted from Australian Standards, AS4269: 1995 – Complaints Handling. This policy forms and should be read in conjunction with the Compliance Policy.

DEFINITIONS

Complainant Person or organization making a complaint
Complaint Any expression of dissatisfaction with a product or service offered or provided
Consumer A person to whom a product or service is offered or provided
Dispute A pursued unsatisfied complaint
Organisation A company, firm, enterprise or association, or part thereof, whether incorporated or not, public or private, that has its own function(s) and administration
Provider An organisation or sole trader providing a product or a service to a consumer

Essential Elements

This policy recognises the need to be fair to both the complainant and the organisation or person against whom the complaint is made. To this end, a complaints Register has been created in response to identified needs within the organisation of GSTA.
The intended goals of this register are to:

- Record all complaints that could impact on the professional performance and image of GSTA.
- Ensure all complaints are efficiently resolved to the satisfaction of all parties.
- Provide management and staff with qualitative and quantitative data from which they can properly determine management and training needs.

It is emphasized that the registers aim is not to target individuals within the organization but to enhance the performance of all members. Due to the variety of complaints that can occur, a classification system will be implemented to ensure priority of investigation and prompt resolution.

The classification system is as follows:

- **Code 1:** Criminal Offences
- **Code 2:** Sexual Harassment
- **Code 3:** Behavioral issues by Staff
- **Code 4:** Behavioral issues by Students
- **Code 5:** Customer Service
- **Code 6:** Administration
- **Code 7:** Miscellaneous matters

Whilst all staff is authorized to mediate conflict resolution situations, it is important that you do so within your capabilities. Complaints of a trivial nature are easily resolved and, in most cases, will not require notation within the register. However, if you are unsure as to whether or not it is appropriate to do so, consult a manager.

Complaints of a significant nature should be reported and forwarded to the Compliance Manager and or General Manager for oversight and recording in the register. In situations where staff considers it appropriate to refer the matter to managers, such action should be taken as soon as possible. Training Sense shall seek advice from the Compliance Manager and or General Manager in the formulation and lodging of complaints.

In the event of failure to contact the Compliance Manager and or CEO, action should be taken to record as much information as possible and to ensure that all parties involved are advised that a manager will contact them as soon as possible.

The Compliance Manager and or General Manager have the responsibility of checking the Complaints Register on a regular basis to ensure the proper investigation of all complaints. Monthly inspections are intended to ensure prompt completion of such matters. Such inspections will be acknowledged in red pen with the date and time of the inspection.

GSTA recognizes the need to be fair to both complainant and the organisation or person against whom the complaint is made.

Therefore the process shall be based on the complainant’s right too:-

- Be heard
- Know whether GSTA service guidelines have been followed
- Provide and request all relevant material to support the complainant
- Be informed of the criteria and process, including the avenues for further review, applied by the organisation dealing with complaints
- Be informed of the response of the person or organisation complained of
- Be informed of the organisation’s decision and the reasons for that decision
- Know that the complaint is being reviewed independently where possible and
• Confidentiality, if requested

The person or organisation about whom the complaint is made shall have the right to -
• Amass sufficient detail about the complaint to enable that person or the organisation to properly investigate and respond to the complaint
• Place all relevant material before the person investigating the complaint and
• Be informed of the decision and the reason for the decision

The Compliance Manager and or General Manager in consultation with the appropriate department manager will determine and implement remedies.

COMMUNICATION
The communication of this policy and any modifications from subsequent review will be tabled at regular staff meetings and if necessary electronic mail.

Review
Training Sense’s Code of Practice clearly states its commitment to the handling of complaints including appeals and grievances. To maintain the correct handling of complaint, this policy will be reviewed when it is necessary or every twelve months.

Procedures – Complaints Handling

Types of Complaints

Complaints are to be taken in two forms:

a. Oral Complaints
b. Written Complaints

The recording of all information should follow a set process:

• Index for the Complaints Register;
  - Record the next sequential number (i.e. 1/2000)
  - Leave the classification code for determination by a manager
  - Record the date the complaint was made to you
  - Record the complainants first and last name
  - Record the respondents first and last name, and
  - Your first and last name

• Complaints Register
  - File the report after you have allocated a relevant number on the top right side of the first page

The complainant will be informed that no fees or charges apply to the creation of the complaint as per statutory requirements.

Oral Complaints
The agreed steps to abide by when taking an oral complaint (including telephone complaints) are as follows:

• Identify yourself, listen, record details and determine what the complainant wants
• Confirm the details received
• Empathize with the complainant in a courteous manner
• Explain the courses of action available
Do not attempt to lay blame or be defensive
Resolve the complaint if possible or commit to doing something immediately, irrespective of who will ultimately handle the complaint
Ensure that the consumer is informed the complaint is receiving attention, without creating false expectations
Check whether the consumer is satisfied with the proposed action and, if not, advise alternative courses of action
Provide acknowledgement: e.g. a thank you letter, a telephone call
Follow up as appropriate and monitor to ensure the consumer remains satisfied as well as receives feedback

Mediation
If the matter is still unresolved, we will suggest an independent mediation body to examine the matter. Mediation can be provided through a preferred provider or random mediator where bilingual support is made available if preferred by the complainant.
VET training delivery and assessment matters can be taken to the Department of Education and Training
If the unresolved matter is not related to training delivery, you could take your complaints to the Department of Fair Trading or the Ombudsman. Students have the right to take further action under Australian Consumer law and the right to pursue other legal remedies.
If your compliant is substantiated, it is our responsibility to follow up on the issues, modify policies and procedures if required and record this action

Responsibility
The responsibility of ownership of this procedure is given to the office manager. This is to ensure constant evaluation and maintenance of the procedure.

Review
To maintain the correct handling of complaints, this procedure will be reviewed when it is necessary or every twelve months. Any modifications or changes will be communicated to all staff via electronic mail. Modifications will be made to the GSTA’s Code of Conduct upon notification of changes.