



POLICY AND PROCEDURE: **Complaints and Appeals**
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Introduction

The policy shows Mansfield Adult Continuing Education (MACE)'s commitment to providing a professional and productive learning environment that is both harmonious and mutually rewarding for all concerned. Nevertheless, issues or concerns do arise from time to time and it is the purpose of this policy is to establish a fair and consistent approach in dealing with complaints or appeals that arise during training delivery.

Policy

The following definitions have been provided to assist in the understanding and implementation of this policy.

Complainant	The person lodging the complaint or appeal
Complaint	The informal or formal expression in regards to some aspect of the conduct of MACE's operations, services, staff or students
Appeal	The petition against any decision made by MACE or its authorised representatives, including assessment decisions i.e. appeal against adverse assessments

Scope

It is MACE's policy to ensure that all complaints and appeals are taken seriously and investigated thoroughly, fairly and without bias.

Guidelines

1. All prospective students/trainees will be provided with information about MACE's Complaints & Appeals Policy, prior to enrolling in a course.
2. This policy and procedure will be published on the MACE website and be publically available and accessible.
3. Students/trainees or employers who have concerns about the quality of service provided by MACE are encouraged to follow the Complaints & Appeals Procedure outlined below. This includes concerns about the quality of teaching, assessment process, materials, student amenities and discrimination or harassment etc.
4. All complaints and appeals will be dealt with in a professional manner and with the utmost of confidentiality. MACE encourages all parties to approach a complaint or appeal with an open mind and to focus on resolving the issue through discussion and conciliation.
5. All complaints & appeals will be dealt with within 10 days of receipt of the complaint/appeal.
6. If for whatever reason the complaint/appeal cannot be finalised within 60 days MACE will inform the complainant/appellant in writing, including reasons why more than 60 days are required, and MACE will regularly update the complainant of the progress of the matter.
7. At any stage during the complaint or appeal process, the students/trainees are entitled to nominate a person of their choosing to accompany and support them.
8. Complainants will be provided with the details of relevant external authorities they may approach if required.
9. A student's/trainee's enrolment should be maintained during the complaint or appeal process.
10. If the complaint or appeal process reveals a systemic issue within MACE that requires improvement, the issue will be reported to the CEO and Training Services Manager and addressed through MACE's continuous improvement process.
11. Nothing within this policy or the complaint and appeal process, prohibits the student from pursuing remedies with an external authority.

External Authorities

If a complainant is still dissatisfied or is unsatisfied with the fairness of the process, they have the right to lodge a complaint externally with an appropriate agency or body such as one of those listed below.

Consumer Affairs Victoria
P: 1300 558 181
E: consumer@justice.vic.gov.au
W: www.consumer.vic.gov.au

WorkSafe
W: www.workcover.vic.gov.au/wps/wcm/connect/WorkSafe

Dispute Settlement Centre of Victoria
P: 9603 8370 or 1800 658 528
E: dscv@justice.vic.gov.au
W: www.justice.vic.gov.au/disputeinfo

Victorian Registration & Qualifications Authority (VRQA)
W: www.vrqa.vic.gov.au
P: 1300 722 603

Resolving Complaints

The most appropriate method to deal with an issue or concern will depend on the circumstances and the nature of the complaint. Some complaints can be resolved easily without formality or process. More serious or damaging complaints may be dealt with formally and with investigation methods applied.

Informal Approach	The complainant may approach the relevant trainer to state the nature of their issue or concern, express their feelings and ask for a resolution. The complainant may also approach the Training Services Manager and request advice/assistance in resolving the issue or concern and take appropriate action.
Formal Approach	The complainant may lodge a formal (written) complaint using the MACE's official <i>Complaint & Appeals Form</i> , requesting resolution. The complainant may also seek external advice and make a complaint directly to an appropriate government agency (e.g. VRQA)

If a complaint or appeal can be resolved informally and to the complainant's satisfaction, they are not obliged to escalate the matter to a formal complaint or appeal. It should be noted however, that in the case of serious misconduct by another student/trainee or MACE representative (such as a trainer) and at the discretion of the Training Services Manager, MACE may choose to escalate the complaint of its own accord.

Investigating Complaints & Appeals

Formal Complaints/Appeals usually require an investigation so that all parties have a chance to present their point of view. The investigation may include private interviews with the complainant, witnesses to pertinent incidents, and the person alleged to have been the source of the behaviour or action leading to the complaint. Victimization of any party will not be tolerated. Each situation will be assessed on a case-by-case basis and with respect to the rights of every employee. At the completion of the investigation, a formal *Complaints & Appeals Outcome Notification* will be provided to the complainant.

Resolution of Complaints & Appeals

Resolution of complaints and appeals may range from an apology to person(s) affected; counselling or other corrective action as deemed appropriate for the nature of the complaint; or the implementation of new policies and procedures to address systemic issues. In cases involving misconduct by a MACE representative, disciplinary or legal action may be taken.

Procedure - Informal Complaint/Appeal

Note: Issues or complaints dealt with informally do not become part of the formal complaint process and will not be documented, recorded or reported on in most cases, however informal diary notes should be kept by all parties involved. Exceptions to this include where the MACE representative investigating the complaint determines that the issue or complaint is relevant to the wider operation of the business; in such instances, the matter may be recorded and reported on.

1. Students/trainees, employers or the parent/guardian of students/trainees under 18 years of age who have a complaint or wish to voice an appeal, should raise the issue with a trainer or a member of the administrative team as soon as possible.
2. The CEO will be informed of the complaint/appeal and will:
 - a. investigate the matter; or
 - b. assign the investigation to a suitable and unbiased Manager.
3. All parties to the complaint are encouraged to resolve the complaint through open discussion with the person who is the subject of the complaint, or is responsible for acting on the issues/concerns raised in the complaint.
4. Parties to the complaint may have a person of their choosing assist and support them during discussions.
5. The parties to the complaint may choose to prepare and sign off on an agreed outcome.
6. If the complaint/appeal is not satisfactorily resolved, or the complainant is not satisfied with the outcome of this informal process, or finds it difficult to approach others informally, they may submit the issue in writing by completing and lodging a *Complaints & Appeals Form*.
7. Where a formal complaint is lodged as a result of the parties not reaching an agreeable and satisfactory outcome through the informal process, the formal complaint should be lodged within 20 days.
8. The *Complaints & Appeals Form* can be downloaded from MACE's website, or is available in the office reception area or can be requested from any staff member.
9. Submission of a *Complaints & Appeals Form* changes the status of the complaint/appeal from informal to formal.

Procedure - Formal Complaint/Appeal

1. All formal complaints are to be lodged using the official *Complaints & Appeals Form* which can be downloaded from MACE's website, or is available in the office reception area or can be requested from any staff member.
2. Upon receipt of a formal complaint or appeal, the complaint/appeal is to be recorded on the *Complaints & Appeals Register* and issued with a number.
3. The CEO is to be advised of the complaint/appeal.
4. The CEO will provide a written acknowledgment of receipt to the complainant within five (5) working days via an *Acknowledgement of a Complaint or Appeal Letter*. This letter will include the Complaints & Appeals Register Number.
5. A confidential file will be opened and maintained until resolution of the complaint is achieved.
6. The CEO will:
 - a. investigate the matter within ten (10) working days of receiving the complaint; or
 - b. assign a suitable and unbiased Manager who will investigate the matter within ten (10) working days of the complaint being received by MACE.
7. Any parties to a complaint may have a person of their choosing assist and support them during discussions.
8. Where relevant, any person nominated in the complaint will be provided with written details of the allegation against him/her and will have the opportunity to respond before resolution is attempted.
9. A complainant may withdraw their complaint at any stage or, choose to have the complaint resolved informally. Withdrawal of the complaint must be made in writing.
10. Complainants may at any time obtain advice from external organisations or authorities, including legal advice, union advice etc.
11. Relevant parties will be interviewed by the CEO or the Manager investigating the complaint; confidentiality will be maintained at all time.
12. The CEO or Manager investigating the complaint will recommend action for resolution to any parties to the complaint.
13. Agreement on resolution of the complaint will be documented as part of the investigation process.
14. A formal *Complaints & Appeals Outcome Notification* will be sent to the complainant upon the conclusion of the investigation and resolution process.
15. Where the matter of the complaint is not able to be resolved to the satisfaction of the complainant, the CEO will provide a written report and recommendations to a representative of the Board of Management.
16. The Board's representative will seek a resolution of the complaint with the complainant.
17. If the complainant is not satisfied with the outcomes of the complaint, they may appeal to the full Board of MACE in writing within 21 days.
18. The Board's determination will be final within MACE's processes.
19. If the complainant is not satisfied with the determination of the Board, they may pursue the matter further with other external bodies.

Authorisation

Chief Executive Officer
MACE Incorporated

Responsibility

It is the responsibility of the Chief Executive Officer to ensure all employees, independent contractors, volunteers, students and any other members of the public are aware of this Policy and its Procedures.

Related Documents

- Complaints & Appeals Form
- Acknowledgement of a Complaint or Appeal Letter
- Complaints & Appeals Outcome Notification
- Complaints & Appeals Register