

### Objective:

Is to ensure that Latrobe Lifeskills provides an effective, efficient, professional and confidential process for addressing and resolving Participants grievances, complaints and/or appeals.

### Scope:

This applies to all Participants enrolled or seeking enrolment with Latrobe Lifeskills for the delivery of training and assessment and associated services. This provides an avenue for most grievances and complaints to be addressed, however in some cases, alternative measures may need to be explored. The responsible parties include Latrobe Lifeskills, Chief Executive Officer and Managers. They are responsible for the control and issue of this Policy and Procedure.

### Policy Statement:

All Participants be made aware of the Participants Grievance, Complaints and Appeals Policy and Procedure upon enrolment via the issuance of the Participants Handbook.

Latrobe Lifeskills will manage grievances, complaints and appeals in a professional and confidential manner and will ensure a fair, equitable and efficient investigation in its efforts to achieve a satisfactory result for all parties.

### Process Steps:

#### 1 Process Step

Participants must put grievances, complaints or appeals in writing and forward to the Registered Training Organisation Manager for resolution. As a Registered Training Organisation Latrobe Lifeskills complies with the Australian Quality Training Framework (AQTF) Essential Standards for Registration and Victorian Registration and Qualifications Authority (VRQA) Guidelines for VET Providers at all times. As a provider of Nationally Recognised Training we encourage feedback from participants. Without this valuable feedback, Latrobe Lifeskills cannot improve internal processes on an ongoing basis.

Upon receipt of a Participants grievance, complaint or appeal, the RTO Manager will log, address and close out the issue through the organisation's Policy and Procedure. The complaint process is intended to obtain a mutually acceptable outcome for all parties and is intended to allow the parties to continue in a productive, professional working relationship.

- The complaint is recorded in writing and it determines how the complainant would like it to be resolved;
- Latrobe Lifeskills will keep the complaint, carer or community

#### Responsibilities | Links

(LL) Instructor/Trainer

(LL) CEO

(LL) RTO Manager

member fully informed of the proposed actions and the timeframe for completion;

- An enquiry will take place to ascertain all the facts of the alleged complaint or grievance;
- Latrobe Lifeskills will endeavour to act in good faith to obtain a resolution by discussion with all concerned, with the complainant's permission.

Latrobe Lifeskills will encourage Participants to approach a grievance, complaint or appeal with an open view and attempt to resolve the issues through discussion and conciliation. If a satisfactory resolution cannot be achieved for the issue, an appeals committee will be formed.

An appeals committee will comprise at least three of the following people (providing that the complainant and the subject of the complaint, if it relates to the action or inaction of a person, are ineligible to participate in the appeals committee set up to consider that particular complaint):

- A trainer with the expertise in the area concerned;
- A Participant enrolled in the area concerned;
- The RTO Manager;
- An advocate for the Participant;
- An independent staff member.

If appropriate, additional participants may include:

- An interpreter where required.

The panel will determine the outcome of the complaint or the appeal and the participant will be advised in writing, within 5 working days, of the decided outcome including the rationale for the decision. If the complainant is satisfied with the agreed resolution and actions will be implemented and the complaint or appeal will be closed.

Where a grievance, complaint or appeal cannot be resolved through discussion, conciliation or via the appeals committee, Latrobe Lifeskills acknowledges the need for an appropriate external and independent agent to mediate between the parties. In this instance, Latrobe Lifeskills will provide Participants with the details of external authorities that they may approach with respect to the issues if required.

Latrobe Lifeskills will ensure all discussions, investigations and findings relating to complaints, grievances and appeals are documented and the appellant/complainant provided with a written statement of the outcomes, including reasons for the decision, within five (5) working days of the decision being made.

## 2 Appeals for Accredited Courses

In the case of Participants undertaking an AQTF Accredited Course, they have the right to appeal decisions made by the RTO where reasonable grounds can be established. The areas in which a student may appeal a decision made the RTO may include:

(LL)  
Instructor/Trainer

- Enrolment decisions;
- Assessment conducted;
- Deferral, suspension, or cancellation decisions made in relation to the participants enrolment;
- Or any other conclusion / decision made after a complaint has been dealt with by the RTO in the first instance.

(LL) CEO

(LL) RTO  
Manager

- To activate the appeals process the student is to complete a 'Complaints and Appeals Form' which is to include a summary of the grounds of appeal is based upon. The reason the student feels the decision is unfair is to be clearly explained, investigated, and help and support with this process can be gained the RTO Manager.
- Latrobe Lifeskills shall then determine the validity of the appeal and organise a meeting with all parties involved in the matter and attempt to seek resolution where appropriate.
- The process for all formally lodged appeals will begin within 10 working days of the appeal being lodged.
- The CEO shall ensure that the RTO acts on any substantiated appeal.
- Where an appeal has been lodged it will be defined into one of the following categories and the appropriate procedures followed:

### General appeals

- where a participant has appealed a decision or outcome of a formal complaint they are required to notify the RTO in writing within 20 working days of the grounds of their appeal. Any supporting documentation should also be attached to the appeal.
- The appeal shall be lodged through the RTO Manager and shall ensure the details of the appeal are added to the 'Complaints and Appeals Register'.
- The RTO Manager shall seek details regarding the initial documentation of the complaint and shall make a decision based on the grounds of the appeal, or escalate to the CEO as appropriate.
- The participant shall be notified of the outcome with reasons for the decision, and the 'complaints and appeal register'

updated. The participant shall also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The participant is required to notify Latrobe Lifeskills they wish to proceed with the external appeals process.

### **Assessment appeals under AQTF accredited courses**

- Where a participant wishes to appeal an RTO assessment they are required to notify their assessor in the first instance. Where appropriate the assessor may decide to re-assess the participant to ensure a fair and equitable decision is gained. The assessor shall complete a written report regarding the re-assessment outlining the reasons why assessment was or was not gained.
- If this is still not to the participants satisfaction the participant shall formally lodge an appeal by submitting a written letter outlining their reasons for the appeal. They shall lodge this with participant administrations department and the appeal shall be entered into the 'Complaints and Appeals Register'.
- The RTO Manager shall be notified and shall seek details from the assessor involved and any other relevant parties. A decision shall be made regarding the appeal either indicating the assessment decision stands or details of a possible re-assessment by a 'third party'. The third party shall be another assessor appointed by the RTO.
- The participant shall be notified in writing of the outcome with reasons for the decision, and the 'Complaints and Appeals Register' updated. The participant shall also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The participant is required to notify the RTO if they wish to proceed with the external appeals process.

Nothing in this policy and procedure limits the rights of participants to take action under Australia's Consumer Protection laws. Also, these dispute resolution procedures do not circumscribe a participant's rights to pursue other legal remedies.

### **Other Information:**

#### Responsible Parties

The Latrobe Lifeskills CEO and RTO Manager are responsible for the control and issue of this document.

#### Definitions

A Participant grievance, complaint or appeal is deemed to be dissatisfaction with the standard of service provided by the Registered Training Organisation (RTO) in relation to all training and assessment activities and processes, including but not limited to:

- Participant selection and enrolment decisions;
- Training and delivery;
- Assessment;
- Issuing of results, statements of attainment, certificates/testamurs;
- Equal opportunity, including discrimination, harassment, bullying, victimisation;
- Participant services and amenities.

Easy English - Human Rights Charter dKnet General Info

FairWork Commission- Anti-Bullying Benchmark dKnet General Info

Complaints: Policy and Procedure -(LL) Administration

Feedback - Staff & Community: Policy and Procedure -(LL) Human Resources/Industrial Relations

### References to Standards and Legislation:

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| <p>: AQTF Users Guide</p> <p>: Equal Opportunity &amp; Human Rights Commission</p> <p>: FAIR WORK ACT 2009</p> <p>: FAIR WORK AMENDMENT ACT 2013</p> <p>: VIC CHARTER OF HUMAN RIGHTS &amp; RESPONSIBILITIES ACT 2006</p> <p><b>Fair:</b> Fair Work Australia Fact Sheet</p> <p><b>NSDS:</b> Standard 4 - Feedback and Complaints</p><br><p><b>NSDS:</b> Standard 4 - Feedback and Complaints</p><br><p><b>NSDS:</b> Standard 4 - Feedback and Complaints</p><br><p><b>NSDS:</b> Standard 4 - Feedback and Complaints</p> | <p><b>01:</b>AQTF Users Guide</p> <p>:Equal Opportunity &amp; Human Rights Commission</p> <p>:FAIR WORK ACT 2009</p> <p><b>01:</b>FAIR WORK AMENDMENT ACT 2013</p> <p>:VIC CHARTER OF HUMAN RIGHTS &amp; RESPONSIBILITIES ACT 2006</p> <p><b>1:</b>Fair Work Australia Fact Sheet</p> <p><b>4.1:</b>Individuals, families, friends, carers and advocates are actively supported to provide feedback, make a complaint or resolve a dispute without fear of adverse consequences</p> <p><b>4.2:</b>Feedback mechanisms including complaints resolution, and how to access independent support, advice &amp; representation are clearly communicated to individuals, families, friends, carers and advocates</p> <p><b>4.3:</b>Complaints are resolved together with the individual, family, friends, carer or advocate in a proactive and timely manner</p> <p><b>4.5:</b>The service develops a culture of continuous improvement using compliments, feedback and complaints to plan, deliver and review services for individuals and the community</p> |
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