

Policy

This policy is designed to provide guidance on the manner in which Career Keys receives and handles complaints made about the organisation, its partners and its employees. It also provides guidance on how student appeals are also handled.

The policy aims to assist in resolving complaints and appeals in an efficient, effective and professional manner, in order that we are responsive to the needs and concerns of staff, partners and clients. The policy also assures complainants/appellants that their complaints/appeal can be submitted without fear of reprisal.

All complaints and appeals shall be subject to notification within the RTO's management meeting and require the implementation of the RTO's complaints and appeals process. Career Keys will aim to complete all complaints and appeals within a reasonable timeframe and usually within a 14 calendar day period after the lodgement of a complaint (with ongoing notification and in writing to the person who complained, should the complaint take longer than expected and/or is expected to take more than 60 calendar days). All complaints and appeals will take into account Career Keys policies, the applicable conditions of enrolment (if a student) and all relevant legislation and regulation when determining the outcome of a complaint or appeal.

Career Keys will manage and respond to allegations involving conduct of:

- a) the RTO, its trainers, assessors or other staff
- b) a third party providing services on the RTO's behalf, its trainers, assessors or other staff (if applicable)
- c) a learner of the RTO

A complaint is an expression of dissatisfaction or concern regarding a decision or action that relates to any aspect of Career Key's services and activities, including:

- products & services
- policies
- conduct of staff and any third-party service provider, and
- decisions of the organisation.

A complainant is the person making the complaint. This may include: a member of the public; customer, employee; stakeholder or an employee of an engaged stakeholder or partnership body.

An informal complaint is one that is considered minor in nature and one, which is immediately correctable and will usually be the result of error rather than from a systemic problem.

A formal complaint is one that is considered more serious and complex and will require investigation or consultation.

An **appeal** is where a student wishes to express dissatisfaction with a particular assessment result.

An **appellant** is the student whom is dissatisfied with a particular assessment result and has lodged a request for a review through Career Keys' Complaints and Appeals Policy & Procedure.

In keeping with Career Keys' commitment to quality management and continuous improvement, each complaint and appeal will be considered in compliance with statutory and regulatory requirements, as well as funding agreements, internal policies and procedures and any other processes adopted by Career Keys. In all cases, adjustments will be made to planning, policies and processes if it is found that systems are lacking. Career Keys also recognises that collecting and analyzing information around complaints is one way for the organisation to improve its services. This in turn will enhance the level of satisfaction which employees and stakeholders have in the performance of our organisation.

Principles of Natural Justice

Career Keys will ensure that all complaints and appeals are dealt in accordance with the principles of natural justice and procedural fairness at every stage of the complaint and appeal process. Career Keys will ensure that the decision maker is independent of the decision being reviewed. Career Keys will also ensure that anyone subject to a decision by Career Keys and/or anyone who has an allegation made against them, will also be provided with the opportunity to tell their side of the story before a decision is made. Career Keys staff handling both informal and formal complaints will ensure that they treat the complainant as serious and are respectful of all parties. No complainant will be disadvantaged in any way, including students may continue with their studies. The complaint will be held in strictest confidence with only Career Keys' delegated officers and those involved in the matter receiving information about the complaint and along the way of its resolution. In summary, in all circumstances complaints and appeals will be handled according to the following principles of procedural fairness:

- All complainants/appellants have a right to be heard.
- Career Keys recognises, protects and promotes the rights of any person including an employee to lodge a complaint.
- Career Keys' complaints & appeals management policy and procedure is accessible on the Career Keys' website with further reference in the Student Handbook.
- The Complaints & Appeals Policy & Procedure is discussed during student induction.
- Students can access a copy of the *Complaints and Appeal Lodgement forms* from the website, their trainer or student services staff member.
- A complainant/appellant has a right to be consulted during the resolution process and to participate in deliberations as appropriate.
- Career Keys will collect sufficient information about the complaint/appeal to enable it to be properly investigated and respond to the issue. This will always include the provision of a right of reply from the person who the complaint was made as well as may include requesting information from witnesses.
- Complainants/Appellants will be informed of the reasons for decisions, and avenues for further review by way of appeal.

Complaints Management Procedure

Informal Complaints (First Tier)

In many cases a problem, or informal complaint, can be dealt with quickly by speaking directly to the person involved or trainer, without the need to make a formal complaint. Trainers will deal with informal complaints on a day to day to basis as they arise. If the Training & Compliance Coordinator feels the informal complaint needs to be raised to that of a formal complaint, they will escalate after having a meeting with the Operations Manager.

- An individual may submit a complaint (verbally or in writing) directly to Career Keys' staff with the purpose to resolve a complaint through discussion and mutual agreement. All complaints received will be acknowledged in writing by Career Keys' management within 2 business days (48 hrs).
- Career Keys will explain to the individual the informal and formal complaints processes available to them and will direct them to the appropriate policy and procedure.
- All informal complaints shall be reported to Career Keys management (the Operations Manager)
- All outcomes of the review shall be reported back to the individual making the complaint in writing within 5 calendar days of the complaint being lodged and may be additionally verbally address. Outcomes may also be provided by a third party (e.g. trainer to student).
- All complainees may be accompanied by a third party of their choice to support them, including at the time of any informal complaint discussions.
- Career Keys will ensure that the person(s) whom are the subject of any complaint, are provided with the opportunity to share details of the occurrence prior to a decision being made by Career Keys.
- All informal complaints that are not resolved with individuals by mutual agreement will require completion of the formal complaints process (Second Tier).

Formal Complaints (Second Tier)

Career Keys' delegated officer to manage formal complaints is the Resolution Officer unless the complaint is against this incumbent and in this instance, Career Keys' Operations Manager will manage the complaint.

A person may elect not to avail themselves of Career Keys' first tier informal resolution process and opt to lodge a formal complaint. Career Keys will not discourage the person from taking this action.

When a person wishes to submit a formal complaint or is dissatisfied with the outcome of an informal complaint, they must submit this by utilising Career Keys' *Complaint Lodgement Form*. This can be requested through Career Keys administration at any reception and/or available on the Career Keys' website.

- The RTO's management will respond in writing to all formal complaints within 14 calendar days of receiving the complaint, with the *Complaint Lodgement Form* completed. This may include a proposed resolution to the complaint.
- All formal complaints may require parties to meet in person to discuss the complaint and work collaboratively to resolve. Complainants are welcome to be accompanied by a third party. If complaint involves a student, Career Keys may request that the trainer/assessor or student support coordinator be present.
- When a complaint is recognised as requiring more than 60 calendar days to process, finalise and resolve, Career Keys will inform the individual reasons why in writing, and further providing regular updates on the progress. A weekly update will be provided via email through Career Keys management until the appeal is resolved.
- When finalised, this will be reported to Career Keys management who will review for potential continuous improvement and actions.

Independent Resolution (Third Tier)

Career Keys' delegated officer to manage this level of complaint resolution is the Operations Manager unless the complainant is against this incumbent and in this instance, Career Keys' General Manager will manage the complaint.

The complainant must advise in writing of their dissatisfaction of Career Key's decision within 14 calendar days of receipt of Career Key's decision.

- Career Keys' responses to second tier complaints shall include information and procedures concerning the complainant's right to appeal the proposed solution and request an independent and impartial party to review the matter.
- The complainant is required to submit in writing their request for an independent review and within 14 calendar days of receipt of advice about the decision.
- As part of the formal complaint process and where it is considered that the matter may not be resolved, Career Keys may also suggest that the matter be escalated for resolution to the third tier of Career Keys' complaints process.
- Career Keys uses Resolution Institute to resolve such complaints through selection of one of the Institute's accredited alternative dispute resolution (ADR) providers within its QLD Chapter.
- Career Keys will organise the resolution session and ensure that this independent party has all the documentation and evidence to prepare for the session.
- There is no cost to the complainant.

The Resolution Institute's details are as follows:

List of ADR Provider Database: <https://www.resolution.institute/>
Phone number: 1800 651 650

- Career Keys will organise this resolution tier within 10 calendar days of written advice from the complainant and/or where it has been mutually agreed that an independent review is in the complainant's best interest.
- Both parties must agree to participate in this tier in good faith and with a willingness to find a resolution.
- Both parties may bring additional persons, eg support person, to the resolution session, however, must provide details of these persons to the other party within 2 days prior to the session.

The decision of the third-tier independent review will be taken as final by both parties and reported to management, and the student informed in writing, and will require immediate implementation/action.

However should the person remain dissatisfied and does not accept the Resolution Institute's findings and wishes to take the appeal further and/or seek a review of the decision, all expenses related to this stage will be incurred by the person from this point in time.

Other Avenues for Lodging a Complaint

- ASQA

Career Keys' is committed to operating transparent business practices. A complainant may also elect to lodge a complaint with the regulator, ASQA, and in this instance, will be directed to:

<https://www.asqa.gov.au/complaints/getting-started-making-complaint-about-training-provider>

- Queensland Department of Education & Training

For funded students, they may also wish to make contact with the relevant QLD government department and will be referred to:

<https://training.qld.gov.au/site/providers/Documents/.../c3g-factsheet-student.pdf>

- Queensland Civil & Administrative Tribunal (QCAT)

QCAT offer a Goods and Services dispute resolution option to Queensland residents that hears cases and resolves disputes through mediation, negotiation & hearings. A complainant may also lodge a complaint through accessing:

<http://www.qcat.qld.gov.au/>

Fees apply through QCAT and the complainant must cover these fully when lodging their complaint.

Recording of the Complaint and Business Improvement

- The complaint will be recorded on Career Keys' *Complaints and Appeals Register*.
- A copy of the complaint documentation will be held in Career Keys' Complaints and Appeals File, with restricted access by Career Keys' Training and Compliance Coordinator, Resolution Officer and Operations Manager. This File is securely stored, in line with the QLD Privacy Act and Principles (1988).
- The matter (with no references to the persons involved) will be included in Career Keys' forthcoming management meeting agenda, for the purposes of discussion to better understand the root cause and ensuring that the relevant Career Keys' policies, procedures and practices are amended accordingly – with staff notification of the changes.
- Where the matter may require individual and/or staff training, Career Keys will organise this within one month of the complaint's resolution.
- Should the matter be deemed as high or medium risk to Career Keys, it will be included in Career Keys' internal auditing schedule to ensure that the amended practices are embedded across the RTO.

Assessment Appeals Management Procedure

Requesting a Review of an Assessment Decision (First Tier)

All appeals from students relating to assessment results must be received within 3 calendar days following the competency decision.

Staff delivering training and assessment services on behalf of Career Keys are the delegated officers to review and manage the appeal and are required to:

- Provide timely guidance to all course participants regarding the assessment appeals procedure.
- Clarify any aspects of the assessment results that a student does not understand.

- Provide each student that requests an assessment appeal with Career Keys' *Assessment Outcome Appeal Form*.
- Upon receipt of a completed *Assessment Outcome Appeal Form*, schedule a meeting with the student and any other relevant parties.
- report the appeal to Career Keys' management (the Operations Manager and Training & Compliance Coordinator) any outcome decisions made by Career Keys to uphold or overturn an assessment appeal to the student's by completing the form and clearly identifying the reason for the outcome.
- All assessment appeals will be processed by Career Keys within 14 calendar days of receipt of an appeal. All assessment appeals must be maintained on the student's file.
- Student records will be adjusted to comply with the appeal outcome.

Review of Appeal Decision (Second Tier)

Career Keys' delegated officer to manage this level of appeal resolution is the Resolution Officer.

In the event of a student being dissatisfied with the appeal decision, a review of the assessment decision will be conducted within 14 calendar days of the student advising in writing of their dissatisfaction with the decision.

Students must advise in writing of their dissatisfaction of the appeal review within 5 calendar days of receipt of Career Key's decision.

- All appeals at this tier may require parties to meet in person to discuss the appeal and the review decision and work collaboratively to resolve. The student is welcome to be accompanied by a third party.
- When an appeal review at this level is recognised as requiring more than 60 calendar days to process, finalise and resolve, Career Keys will inform the individual reasons why in writing, and further providing regular updates on the progress. A weekly update will be provided via email through Career Keys management until the appeal is resolved.
- When finalised, this will be reported to Career Keys' management who will review for potential continuous improvement and actions.

Independent Resolution (Third Tier)

Career Keys' delegated officer to manage this level of appeal resolution is the Operations Manager.

- Career Keys' responses to second tier appeals shall include information and procedures concerning the student's right to appeal the proposed solution and request an independent and impartial party to review the matter.
- The student is required to submit in writing their request for an independent review and within 5 calendar days of receipt of advice about the decision.
- As part of the formal appeal review process and where it is considered that the matter may not be resolved, Career Keys may also suggest that the matter be escalated for resolution to the third tier of Career Keys' appeals process.
- Career Keys uses Resolution Institute to resolve such appeals through selection of one of the Institute's accredited alternative dispute resolution (ADR) providers within its QLD Chapter.

- Career Keys will organise the resolution session and ensure that this independent party has all the documentation and evidence to prepare for the session.
- There is no cost to the appellant.

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- Both parties may bring additional persons, eg support person, to the resolution session, however, must provide details of these persons to the other party within 2 days prior to the session.

The decision of the third tier independent review will be taken as final by both parties and reported to management, and the student informed in writing, and will require immediate implementation/action.

However should the person remain dissatisfied and does not accept the Resolution Institute's findings and wishes to take the appeal further and/or seek a review of the decision, all expenses related to this stage will be incurred by the appellant from this point in time.

Informing Career Keys Staff

Career Keys is committed to ensuring that staff are aware of this policy and procedure. Career Keys require all new staff to read and acknowledge they have understood prior to employment. Existing staff are required to read and acknowledge their understanding of this policy and procedure on an annual basis and further acknowledge their commitment to following it through an email/signing an acknowledgement register, held by the Training & Compliance Coordinator.

Related documentation:

DOCUMENT Complaints and Appeals Register
DOCUMENT Career Keys' Student Handbook
CHECKLIST Staff Induction
DOCUMENT Career Keys' Staff Handbook
FORM Complaint Lodgement
FORM Assessment Outcome Appeal

Responsible Officer

The responsible officer for the implementation and training for this Policy and Procedure is the the Operations Manager.

Publishing details

Document History and Version Control

Document Author: Compliance & Finance Officer	Review Date: February 2019
Student Experience Framework Phase	Commitment and Growth
Student Experience Framework Step	Compliants & Appeals

Version	Date Approved	Approved by	Brief Description
02	Feb 18	Operations Manager	Introduces separate forms for lodging a complaint and an appeal and supports staff to manage the process to resolution.
03	Oct 18	Operations Manager	Updated to remove position roles to current roles