

Complaints & Appeals Policy & Procedure

T&G ensures that any complaint from a student is handled in a constructive, timely, fair and equitable manner, which is easily accessible and offered to complainants at no charge. At all times T&G will not victimise or discriminate the student, and will not support victimisation or discrimination of the student. Complaints are defined as 'Academic' or 'Non-Academic', and are concerned with:

Academic:

- Student progress
- Assessment
- Curriculum
- Awards in a course.

Non-Academic:

- Handling of personal information and access to personal records
- Decision/s made by T&G that impact the student
- Issues such as harassment, vilification, discrimination
- Financial matters including fines and payments
- Exclusion from events or facilities
- Application, enrolment or induction process
- The quality of education provided
- The way someone has been treated.

The Informal and Formal Procedure is the relevant procedure for the management of both Academic and Non-Academic complaints.

Definitions

Student	Refers to both current students and potential students, enrolled, or seeking to enrol, in a T&G course
Complaint	A student's expression of dissatisfaction with any aspect of T&G services and activities (both academic and non-academic).
Complainant	Is the student/s expressing dissatisfaction with any aspect of T&G academic or non-academic services or activities.
Appellant	Is the complainant/s who is appealing a decision made by T&G at any point of the Formal Procedure.
Respondent	The person/s or organisation against whom a complaint is filed.
Independent Review Panel	A group of two (or more) senior staff employed by T&G who are independent of the original decision-maker, and who are not associated with or implicated in the original complaint

T&G is committed to resolving each complaint within the timeframes allocated to each stage of the Formal Complaint process. The time in which it takes to resolve a complaint is also impacted by the pace of which the Complainant/ Appellant, and any external body engaged to mediate the complaint/appeal is able to respond/ participate in each stage of the Formal Procedure. T&G is unable to predict or control the timeframe of which the Complainant/ Appellant, and any external body engaged to mediate the complaint/appeal responds/ participates in each stage of the Formal Procedure.

Where T&G considers more than 60 calendar days are required to process and finalise the formal complaint or appeal, T&G will:

- inform the complainant or appellant in writing, including reasons why more than 60 calendar days are required; and
- regularly update the complainant or appellant on the progress of the matter.

Where a student chooses to access the Complaints & Appeals Policy & Procedure, T&G will maintain the student's enrolment while the complaints and appeals process is ongoing. The following procedure is applicable to both academic and non-academic complaints.

Note for International Students

If the International student accesses the T&G's complaints and appeals process regarding a matter that may result in a breach of the student's student visa conditions (e.g. course progress) and this results in a decision that supports T&G, T&G must report this matter to the Department of Education and Industry through PRISMS. T&G does not report until the process is completed and it supports T&G, or the student has not accessed the provider's complaints and appeals process within 20 days of being notified of the provider's intention to report.

Informal Procedure

Students are encouraged, wherever possible, to resolve concerns or difficulties directly with the person(s) concerned. Complainants may raise an informal grievance by contacting their trainer or alternatively any staff member with whom they feel comfortable.

Formal Procedure

This procedure can be utilised to submit a complaint of an academic or non-academic nature where the matter cannot be resolved informally. Complaints of an academic nature include matters related to student progress, assessment, curriculum and awards in a VET course of study. The Formal Procedure consists of three stages:

- Formal Complaint

- Internal Review
- External Review

During all stages of the Formal Procedure T&G will take all steps to ensure that:

- the complainant and the respondent will not be victimised or discriminated against.
- the complainant has an opportunity to formally present their case, and each party to the complaint may be accompanied and assisted by a support person at any relevant meetings.
- a full explanation in writing for decisions and actions taken as part of the process will be provided to the complainant and/or the respondent.
- where the internal or external complaint handling or appeal process results in a decision that supports the complainant, T&G will immediately implement any decision and/or corrective and preventative action required and advise the complainant of the outcome.

There is no cost to the complainant for utilising this complaints and appeals process.

Formal Complaint (Stage 1)

Timeframe: 10 working days

Both academic and non-academic formal complaints must be submitted in writing to the RTO Compliance Manager on a Complaints Form available from the RTO Compliance Manager, or a written letter detailing the complaint. Upon receipt, the complaint will be immediately entered into T&G's Complaints Register.

T&G will commence the Formal Complaint process within two working days of the receipt of the written complaint. All reasonable measures will be taken to finalise the process as soon as practicable. The RTO Compliance Manager or their nominee will seek to clarify the outcome that the Complainant hopes to achieve. Such clarification may be sought by written or verbal request, or by a face-to-face interview with the Complainant. When such clarification occurs in a face-to-face interview, the Complainant and Respondent may ask another person to accompany them.

The RTO Compliance Manager or their nominee will endeavour to resolve the complaint and provide a written report to the Complainant on the steps taken to address the complaint, including the reasons for the decision, within ten working days of receipt of the written complaint. The Report will further advise the Complainant of their right to access the Internal Review process if they are not satisfied with the outcome of their formal complaint. The Report is included as part of the Complaints Form, which the complainant signs as accepting (or not) the outcome decision of the complaint process.

Where the Formal Complaint process results in a decision that supports the Complainant, T&G will immediately implement any decision and/or corrective and preventative action

required and advise the complainant of the outcome in writing. There is no cost to the complainant for this process.

Internal Review (Stage 2)

Timeframe: 15 working days

If the Complainant is dissatisfied with the outcome of the Formal Complaint (Stage 1) they may lodge an appeal with the CEO (who is senior and independent to the original decision maker). The Complainant is now referred to as the 'Appellant'. The CEO will then engage an Independent Review Panel (who are not party to original complaint) within five working days of receiving the written request to appeal the decision from the Appellant. The Independent Review Panel will review the complaint between T&G and the Appellant, and aim to report the outcome to the CEO within three working days.

The CEO will provide a written report to the Appellant advising the outcome of the appeal, additional steps taken to address the complaint, and the reasons for the decision, within seven working days. The Report will further advise the Appellant of their right to access the External Review process if they are not satisfied with the outcome of their appeal. Where the Internal Review process results in a decision that supports the Appellant, T&G will immediately implement any decision and/or corrective and preventative action required. There is no cost to the Appellant for this process.

External Review (Stage 3)

Timeframe: 20-30 working days (dependent on the workflow of the external independent mediator)

If the matter remains unresolved after the Independent Review Panel presents its findings, the Appellant may make a written request to the CEO that they wish the matter be dealt with through an independent External Review process. T&G in consultation with the Appellant will appoint a mutually agreed Independent External Mediator within 5 working days of the written request. It is then up to the Independent External Mediator, the Appellant and T&G to resolve the complaint. T&G will bear any costs associated with the mediation.

T&G's Nominated Independent External Mediator:

LEADR – Association of Dispute Resolvers
Phone: 02 9251 3366
Email: leadr@leadr.info
Website: <http://www.leadriama.org>
Address: Level 1, 13-15 Bridge St
Sydney NSW 2000

The Appellant and the Respondent may ask another person to accompany them to meetings with the Independent External Mediator. LEADR will liaise with the student and T&G to facilitate mediation proceedings.

The Independent External Mediator will report the outcome of the mediation including any recommendations arising, as soon as reasonably possible of the completion of the review to the CEO. The Report will occur at the earliest possible time after the terms of settlement have been agreed on, with the precise timing being dependent on the workflow of the External Independent Mediator. Once the CEO receives the report of the outcomes from the Independent External Mediator, they will provide a written report to the Appellant within 5 working days on the recommended actions to resolve the complaint.

T&G agrees to be bound by the Independent External Mediator's recommendations and the CEO will aim to ensure that any recommendations made are implemented within 10 working days of receipt. The recommendations and subsequent corrective actions arising from an external review will inform the ongoing continuous improvement of T&G.

Process Outcome

If the decision supports the student, then T&G will immediately implement any decision and corrective action required. A corrective action record for each complaint outcome will be raised, approved, actioned and monitored (via status reports in monthly management meetings). The RTO Compliance Manager will then update the Continuous Improvement Register to reflect the progress and completion of each action. The student will be notified in writing of the Action that has occurred in response to their complaint.

Alternative Mechanisms for Complaint Handling

At anytime the student is able to lodge a complaint with the Australian Skills Quality Authority (ASQA) on 1 300 701 801. ASQA does not act as an external mediating service. In most instances, the student will be required to show the following evidence to ASQA:

That you have followed your RTO's formal complaints procedure, and T&G's response.

Please refer to <http://www.asqa.gov.au/complaints/make-a-complaint-domestic-students/before-you-make-a-complaint-domestic-students.html> for further information regarding this process.

International Students:

At anytime the student is able to lodge a complaint with the Overseas Students Ombudsman <http://www.ombudsman.gov.au/about/overseas-student-ombudsman-landing-page>

Record Keeping and Confidentiality

A written record of all complaints handled under this procedure and their outcomes shall be maintained for a period of at least five years to allow all parties to the complaint appropriate access to these records, upon written request to the CEO. These records will be maintained at T&G, 255c Oxford Street, Paddington NSW 2021 Australia. Parties to the complaint will have appropriate access to records, while ensuring that the records are treated as confidential.