

# Grievances, Complaints and Appeals Policy and Procedure



## Purpose

The Grievances, Complaints and Appeals Policy and Procedure confirms J2S Training Solutions' approach to managing a dissatisfaction or concern of our stakeholders, so that any issue(s) can be dealt with promptly and effectively. This policy and procedure defines the steps to have a grievance, complaint or appeal addressed in a manner that ensures procedural fairness and is designed to bring about reconciliation.

## Definitions

*Grievance* - a problem or concern of an academic or non-academic nature raised by a stakeholder which is believed by that stakeholder, to disadvantage them in the course of their study.

*Complaint* – a person's expression of dissatisfaction with any service provided by, or on behalf of, J2S Training Solutions.

*Appeal* – a request to review a decision that has been made on an issue such as assessment(s), withdrawal and refund, or on a previously submitted grievance(s) or complaint(s).

*The Act* – refers to the Higher Education Support Act 2003

*Stakeholder* – any party that has an interest in the operations of J2S Training Solutions

*Academic matters* – include those matters which relate to student progress, assessment, course content or awards in a VET course of study.

*Non-academic matters* – include those matters which do not relate to student progress, assessment, course content or awards in a course and include complaints in relation to personal information that the provider holds in relation to the student. Non-academic grievances tend to arise from events occurring at a provider or from decisions made by a provider. Non-academic grievances include complaints in relation to the following:

- *Discrimination*
- *Vilification*
- *Sexual harassment*
- *Other forms of harassment*
- *Student amenities*
- *General complaints including dissatisfaction with services*
- *Complaints about financial matters*
- *Payments, application procedures, exclusions from events and facilities and the use or misuse of personal information*

## Scope

This policy applies to all students, prospective students, clients, referral agents, staff and other stakeholders of any J2S Training Solutions. This policy is relevant to both academic and non-academic complaints and grievances.

## Policy

### 1. Complaints and appeals systems

- 1.1 J2S Training Solutions is committed to developing and maintaining an effective, timely, fair and equitable complaints and appeals system which is easily accessible. J2S Training Solutions aims to:
  - Develop a culture that views complaints and appeals as an opportunity to improve the organisation and how it works
  - Set in place a complaints and appeals handling system that is client focused and helps J2S Training Solutions to prevent reoccurrence
  - Ensure a complaint or appeal is resolved promptly, objectively, confidentially and with sensitivity
  - Ensure the views of each party are respected and
  - Ensure each party is not discriminated against nor victimised
  - Ensure there is a consistent response to complaints and appeals
- 1.2 J2S Training Solutions attempts to resolve any complaints, concerns and appeals fairly and equitably within ten (10) working days from receipt of a notice of complaint/appeal.
- 1.3 Where more than 30 calendar days are required to process and finalise the complaint/appeal, the complainant or appellant is notified of the reason why more than 30 calendar days are required
- 1.4 All formal complaints and appeals and their outcomes will be recorded in the Complaints and Appeals Register.
- 1.5 The register is reviewed by management and used for improvement and learning.

### 2. Nature of complaints and appeals

- 2.1 Complaints and appeals may be made be in relation to any J2S Training Solutions's services, activities and decisions such as:
  - The enrolment, induction/orientation process
  - The quality of training and resources provided
  - Training and assessment matters, including student progress, timeframes for completion, assessment results, curriculum and awards in a course of study
  - Withdrawals and refunds
  - Access to personal records
  - Bullying and harassment, including sexual harassment
  - Decisions made and/or
  - The way someone has been treated

### 3. Resolving issues before they become a complaint

- 3.1 Complaints and grievances are to be resolved preferably informally and directly between the individuals who are party to the grievance
- 3.2 The Training Coordinator can assist students to resolve their issues at this level
- 3.3 Any complaint about the conduct of a staff member should be raised directly with the Training Manager or email [ceo@stridelearning.com.au](mailto:ceo@stridelearning.com.au)

## 4. Lodging a complaint

- 4.1 Where an issue cannot be resolved informally, it can be escalated by emailing a completed J2S Training Solutions [Complaint Lodgement form](#) to [ceo@stridelearning.com.au](mailto:ceo@stridelearning.com.au)
- 4.2 Acknowledgement of receipt of the complaint will be sent within 48 hours of the form being emailed to [ceo@stridelearning.com.au](mailto:ceo@stridelearning.com.au).
- 4.3 J2S Training Solutions will investigate the complaint, make a judgement and provide written communication of the decision.

## 5. Appealing a decision

- 5.1 Where a complainant is dissatisfied with the outcome, they may appeal the decision within five (5) working days of the decision being made, requesting the decision to be reviewed. This must be in writing to CEO ([ceo@stridelearning.com.au](mailto:ceo@stridelearning.com.au)) stating the reason(s) for their appeal.
- 5.2 The complainant may request a face to face meeting with the CEO to formally present his or her case in appeal of the decision. The CEO will advise in writing within five (5) business days after the meeting, the outcome of the appeal and the reason(s) for the decision.
- 5.3 J2S Training Solutions permits a party associated with the complaint to be accompanied and assisted by a third party at the meeting, however J2S Training Solutions must receive prior notification of the third party. This notification is required at least two (2) days prior to the meeting.

## 6. Assessment outcome appeal

- 6.1 In the case of an assessment appeal, an internal review of the assessment will be undertaken by one of J2S Training Solutions' qualified assessors, once the [Assessment Outcome Appeal Form](#) is received.
- 6.2 Following this internal review of the assessment, the student will be notified by email of the outcome of the review. If a student remains dissatisfied with the outcome, J2S Training Solutions will appoint an independent, qualified assessor to review and decide on the outcome of the assessment. This will be at cost recovery basis to the student and payable upfront.
- 6.3 All parties will be bound by the independent assessor's decision.
- 6.4 Recommendations made by the independent assessor will be implemented within ten (10) days of receipt of the report.

## 7. External Complaints

- 7.1 J2S Training Solutions acknowledges there may be a need for an appropriate independent party to mediate when an agreed outcome cannot be reached. J2S Training Solutions will offer to arrange this mediation, at cost recovery charge to the complainant.
- 7.2 J2S Training Solutions will engage the Resolution Institute as its external referring agency, as recommended by the Australian Council of Private Education & Training (ACPET). The complainant will be responsible for any charges laid by the external agency.
- 7.3 Where a complaint remains unresolved after the external dispute resolution process, complainants may decide to refer the matter to an independent complaint's agency such as ASQA (<http://www.asqa.gov.au/complaints/making-a-complaint.html>). ASQA is not a consumer protection agency and cannot act as an advocate for individual student or resolve disputes between students and RTOs.

## 8. Enrolment status

- 8.1 Where a student chooses to access this policy and procedure, J2S Training Solutions will maintain the student's enrolment while the complaints handling process is ongoing.

## 9. Record keeping and confidentiality

- 9.1 A written record of all complaints and appeals handled under this Policy and Procedure and their outcomes shall be maintained for a period of five (5) years to allow all parties appropriate access to these records.
- 9.2 All records relating to complaints and appeals will be treated as confidential and will be covered by the J2S Training Solutions Privacy Policy.

## 10. Non-limitation of policy

- 10.1 This policy and related procedure do not replace or modify those or any other responsibilities which may arise under other policies or under statute or any other law. Nothing in this policy and related procedure limits the rights of individuals to take action under the Australia's Consumer Protection laws. Also, this policy does not circumscribe an individual's rights to pursue other legal remedies.

### **Related policies, procedures, forms, legislations, regulatory requirements.**

#### SUPPORTING DOCUMENT:

- [Complaint Lodgement Form](#)
- [Assessment Outcome Appeal form](#)
- Complaints and Appeals Register
- Continuous Improvement Register
- Student Handbook

#### POLICY AND PROCEDURE:

- Continuous Improvement and Quality Assurance Policy
- [Privacy Policy](#)