

COMPLAINTS & APPEALS POLICY

PURPOSE

The Learning Collaborative (TLC) is committed to providing quality training and assessment in accordance with the Standards for Registered Training Organisations (SRTOs 2015). As such, The Learning Collaborative (TLC) is required to have a policy and processes in place to manage and respond to allegations involving the conduct of staff, learners and Third Party training and assessment providers who provide services on behalf of The Learning Collaborative (TLC).

This policy is based on providing and maintaining training and assessment services that are fair and reasonable and afford a forum where issues or inadequacies can be raised and resolved. This process provides opportunity for complaints to be recorded, acknowledged and dealt with in a fair, efficient and effective manner.

The object of this policy is to ensure that The Learning Collaborative (TLC) staff act in a professional manner at all times. This policy provides students with a clear process to register a complaint. It ensures all parties involved are kept informed of the resulting actions and outcome.

POLICY STATEMENT

The Learning Collaborative (TLC) acknowledges the clients' right to lodge a complaint when they are dissatisfied with the training and /or assessment services and experiences that they have been provided by The Learning Collaborative (TLC) and its Third Parties.

The Learning Collaborative (TLC) will ensure that clients have access to a fair and equitable process for expressing complaints, and that The Learning Collaborative (TLC) will manage the complaint with fairness and equity.

In doing so, The Learning Collaborative (TLC):

- Has written procedures in place for collecting and managing complaints in a constructive and timely manner;
- Ensures that these procedures are communicated to all staff, Third Parties and clients;
- Ensures that all necessary documentation and resources are in place to enable clients to submit a complaint;
- Ensures that each complaint and its outcome is recorded in writing; and
- Ensures that customer complaints and their outcomes are fed into continuous improvement initiatives.

POLICY PRINCIPLES

In managing complaints, The Learning Collaborative (TLC) will ensure that:

- The principles of natural justice and procedural fairness are adopted at every stage of the complaint process.
- The complaints policy is publicly available.
- There is a procedure for making a complaint.
- Complaints are treated seriously and dealt with promptly, impartially, sensitively and confidentially.
- Complaints will be resolved on an individual case basis, as they arise.
- All clients have the right to express a concern or problem and/or lodge a complaint if they are dissatisfied with the training and assessment services that they have been provided (including through a Third Party) or the behavioural conduct of another learner.
- All complaints are acknowledged in writing and finalised as soon as practicable.
- The complaint resolution procedure is based on the understanding that no action will be taken without consulting the complainant and respondent, using a process of discussion, cooperation and conciliation.
- The rights of the complainant and respondent will be acknowledged and protected throughout the complaint resolution process, including the conduct of separate interviews initially.
- In the interest of confidentiality, the number of people involved in the resolution process will be kept to a minimum.
- Final decisions will be made by the Compliance Manager of The Learning Collaborative (TLC) or an independent party to the complaint.
- The complaint resolution procedure emphasises mediation and education while acknowledging that in some instances formal procedures and disciplinary action may be required.
- If the complaints process fails to resolve the complaint or the complainant is not satisfied with the outcome of the complaint, the matter will be referred to an independent Third Party for review, at the request of the complainant. All costs incurred for the Third Party review will be advised to the complainant.

- If the complaint will take in excess of 60 calendar days to finalise, The Learning Collaborative (TLC) will inform the complainant in writing providing the reasons why more than 60 calendar days are required. The complainant will also be provided with regular updates on the progress of the complaint.
- Victimisation of complainants, respondents or anyone one else involved in the complaint resolution process will not be tolerated.
- All complaints will be handled as Staff-In-Confidence and will not affect or bias the progress of the client in any current or future training.

TYPES OF COMPLAINTS

A complaint may include allegations involving the conduct of:

- The Learning Collaborative (TLC), its trainers, assessors or other staff; or
- A Third Party providing services on behalf of The Learning Collaborative (TLC), its trainers, assessors or other staff; or
- A learner of The Learning Collaborative (TLC).

THE LEARNING COLLABORATIVE (TLC) RESPONSIBILITIES

The Compliance Manager of The Learning Collaborative (TLC) is the Complaints Resolution Officer. The Compliance Manager may delegate responsibility for the resolution of the complaint if necessary.

Details concerning the scope of the Complaints Policy are to be clearly displayed throughout the organisation and contained within the Staff Induction Process, Client Handbook and The Learning Collaborative (TLC) website.

COMPLAINTS

If a client has a complaint, they are encouraged to speak immediately with the trainer/assessor/staff member to resolve the issue. If the complainant is not satisfied that the issue has been resolved they will be asked to complete to lodge a formal complaint using the Complaints Form. The Learning Collaborative (TLC) will then investigate the complaint and advise the complainant of the outcome.

If the complainant is not satisfied with the outcome they may write to the Compliance Manager, setting out in detail the issue of concern. This may lead to occasions where an industry training representative may be invited to act as an objective party in order to negotiate a satisfactory resolution.

COMPLAINTS PROCESS

All complaints shall follow the below process:

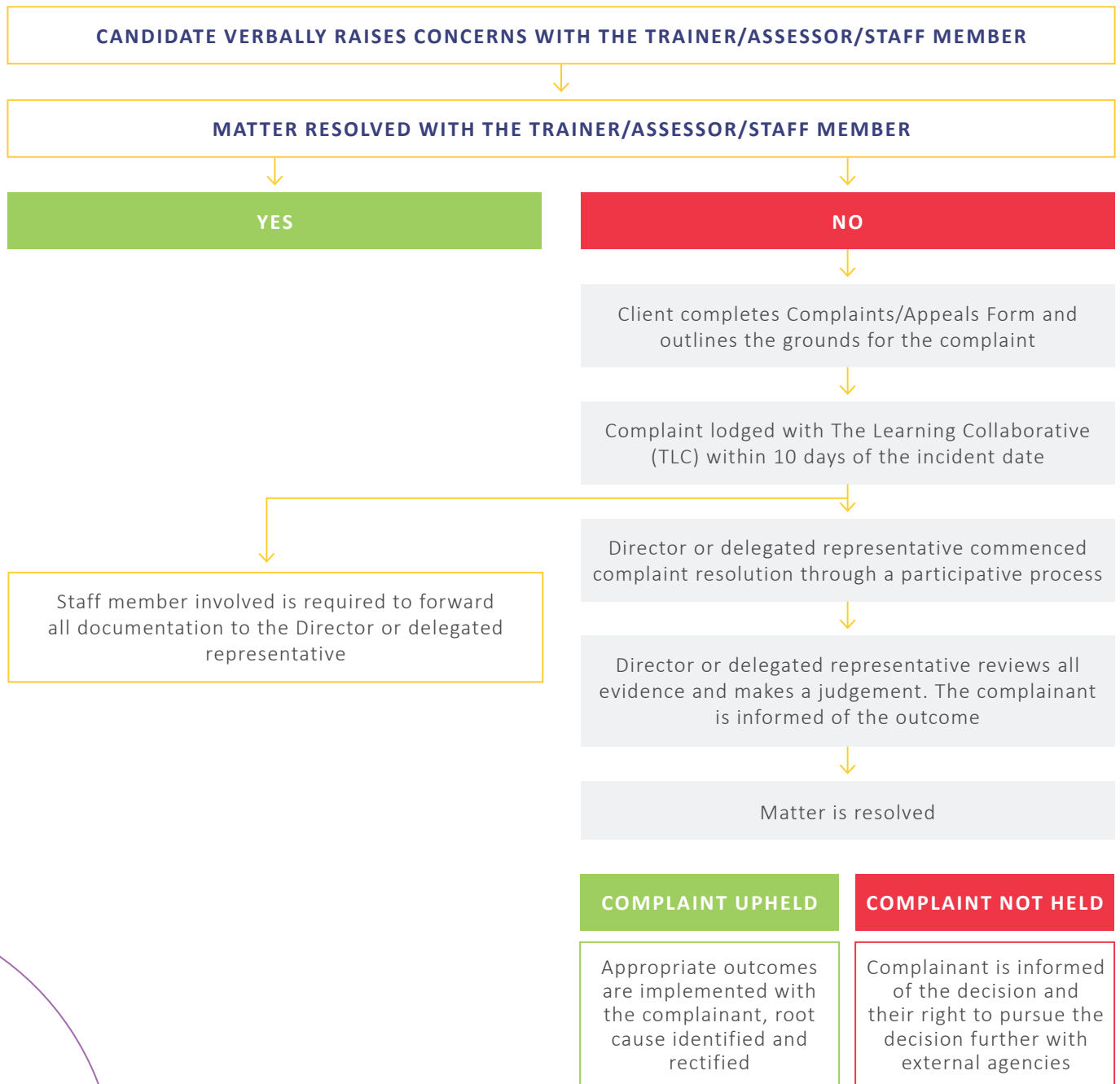
- Where the matter has not been resolved locally with the trainer/assessor/Third Party complaints should be made in writing within 10 days of the incident using the Complaints & Appeals Form.
- The Compliance Manager of The Learning Collaborative (TLC) must be informed of receipt of all complaints immediately.
- The Compliance Manager of The Learning Collaborative (TLC) may delegate responsibility for the resolution of the complaint.
- In the case of a complaint, the Compliance Manager of The Learning Collaborative (TLC) will initiate a transparent, participative investigation to identify the issues.
- Complaints will be processed in accordance with the Complaints flowchart (see page 4).
- Complaints, where possible, are to be resolved within 14 calendar days of the initial application.
- In all cases the final conclusion will be assessed by the Compliance Manager of The Learning Collaborative (TLC).
- The Client will be advised in writing of the outcome of their complaint, within seven (7) days of resolution.
- If the outcome is not to the satisfaction of the Client, they may seek an appointment with the Compliance Manager of The Learning Collaborative (TLC).
- Should the issue still not be resolved to the student's satisfaction, TLC will make arrangements for an independent Third Party to resolve the issue and outline any costs that may be involved with this to the student. The student will be given the opportunity to formally present his or her case.

The time frame for this process may vary, but should take no longer than 14 days. All parties involved will receive a written statement of the outcomes, including reasons for the decision within the 14 day period. If the process is taking longer than 60 days from the complaint or appeal being received the student will be notified in writing of the reason for the delay and kept informed about all progress. If the student is still not happy with external mediation, he/she may take his/her complaint to the Queensland Training Ombudsman. All documentation relating to complaints or appeals should be archived for audit purposes.

- ASQA accepts complaints about training providers such as TLC from all members of the community and takes a risk-assessment approach to student complaints, which allows them to focus on risks to the quality of vocational education and training in Australia. ASQA is not a consumer protection agency and cannot act as an advocate for individual students, however, ASQA highly values complaints about training providers—all complaints are used as intelligence to inform regulatory activities. For more information on how ASQA handles complaints, refer to ASQA's policy on [Managing complaints about training providers](#).
- A further option available to students and organisations is the National Training Complaints Hotline. This number is 13 38 73 and is staffed Monday–Friday, 8am to 6pm nationally. More details on the National Complaints Hotline can be found at [here](#). The Queensland training ombudsman can provide students with advice about rights and responsibilities within the VET sector, [click here](#) for more information.

MONITORING AND IMPROVEMENT

All complaints practices are monitored by the Compliance Manager of The Learning Collaborative (TLC) and areas for improvement identified and acted upon.





the learning collaborative

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