

## Compliance

### Standards for RTOs 2015, Standard 6

### Purpose/explanation

This policy and procedure describes the process by which course participants and learners, and delivery partners may have problems addressed effectively, efficiently, professionally and confidentially.

Note: where training and assessment is provided at a delivery partners' site as a customised program, this policy and procedure document must be read in conjunction with relevant delivery partner policies and procedures. In instances of a conflict between policies and procedures, enterprise policies are to take precedence.

### Related documents

- Complaint, grievance and appeal form
- Complaints & grievances register

### Scope

This policy and procedure applies to all persons enrolled with or seeking enrolment with Ausdance Vic for the delivery of training and assessment services. It also applies to those employed by or contracted to Ausdance Vic for the delivery of training, conduct of assessments, administrative duties and/or provision of support services.

### Responsible parties

The Director, Ausdance Vic, is responsible for the control and issue of this procedure.

### Definitions

Appeal	An appeal arises from dissatisfaction with an assessment decision or complaint resolution. A formal appeal is made in writing to a staff member of Ausdance Vic Inc. an informal appeal may be raised verbally with a staff member of Ausdance Vic Inc.
Appeals committee	The appeals committee will comprise an odd number of at least three of the following people: a trainer/assessor with expertise in the area concerned a learner enrolled in the area concerned The Director of Ausdance Vic Inc. a representative of the contracted training provider (if relevant) A staff member of Ausdance Vic Inc. Committee members must not be the subject of the appeal and/or must not have been involved in the conduct of the original formal complaint resolution process.
Complaint	A complaint maybe: an expression of dissatisfaction with the procedures, outcomes or the quality of service provided by Ausdance Vic Inc. (or its partner provider) in relation to the following: training or assessment enrolment and induction training or assessment delivery an assessment decision, including recognition of prior learning and recognition of current competency issuing of results, certificates and/or statements of attainment matters relating to privacy and confidentiality an expression of dissatisfaction with behaviour or action of another which has an unreasonable negative impact on the learner Related to other issues such as discrimination, sexual harassment, training facilities or amenities, etc. Any other activities associated with the delivery of training and assessment services. A formal complaint must be made in writing to Ausdance Vic Inc. An informal complaint is when an issue is raised verbally with an Ausdance Vic Inc. staff member.
Independent third party	An independent third party is a person nominated by the Director, Ausdance Vic Inc. who is impartial and has the skills necessary to mediate in complaints resolution. This person may be: an employee of Ausdance Vic an external person who is familiar with the AQTF/NVR and VET systems A person with experience in mediating complaints resolution processes.

## Policy

Ausdance Vic Inc. is committed to providing an environment in which complaints, grievances and appeals are responded to in an effective, efficient, professional, transparent and confidential manner.

The Ausdance Vic *Complaint and appeals policy and procedure* are located on the AUSDANCE VIC website. Employees, contractors and learners are advised where to view the *Complaint and appeals policy and procedure*.

A complaint must be lodged within 30 days of dissatisfaction arising or a grievance occurring; or an unsatisfactory formal or informal resolution; or an assessment decision being made.

Ausdance Vic will:

- make a written record of any complaint or request for an appeal
- provide written acknowledgement of a complaint

Will make every reasonable effort to:

- initiate a resolution process within 10 working days of receiving notice of a complaint or appeal
- Arrive at a resolution within a further 10 working days.

If appropriate, a continuous improvement process may be initiated to prevent similar complaints in the future.

## Procedure

### Stating a case

Ausdance Vic encourages all persons with an issue, grievance, complaint or appeal to seek resolution by initiating the following:

- Informal resolution through verbal or written discussion with the other party (relevant trainer, assessor, learner, administrator or coordinator; or other staff member).
- from the outset, or if informal resolution has been attempted without success, the matter can be formalised and submitted in writing to the Director, Ausdance Vic , who may:
  - ❖ review and recommend a solution/resolution
  - ❖ convene a meeting of the parties with a view to reaching a resolution
  - ❖ Refer the case to an appeals committee.

This is when the formal Ausdance Vic complaints resolution process commences.

A complaint or appeal may be withdrawn at any time.

If a complaint or appeal remains unresolved, after mediation or review by the Director, Ausdance Vic, the case will be referred to an appeals committee.

All matters relating to a case are to be recorded in writing and the person(s) provided with a written statement of the outcomes, including reasons for the decision.

Written records should be signed and dated by all parties involved.

A register of complaints, grievances and appeals is kept by Ausdance Vic that identifies the individual involved, a brief description of the complaint, grievance or appeal and an indication of the outcome.

### Resolution process

Each person will be provided with a fair and reasonable opportunity to present their case at each stage of the resolution process. Throughout the appeal or complaint resolution process, a complainant/appellant may be accompanied by a support person.

### **Informal resolution**

Each case should first be informally investigated and/or addressed informally in consultation with the parties concerned. An impartial mediator can be involved if necessary or if requested.

Each party reserves the right to refuse an informal resolution if it is considered that insufficient impartiality exists to arrive at a fair and equitable resolution.

### **Formal resolution**

Every person must be given the option to raise a complaint or appeal formally. A formal complaint or appeal must be in writing to the Director, Ausdance Vic and signed by the complainant/appellant.

The Director, Ausdance Vic will advise how the appeal will be best addressed. To resolve the appeal the Director may:

- request and review copies of all correspondence relating to the case
- delegate responsibility for gathering evidence to an investigating officer
- consult personally with the parties involved to discuss and resolve the case
- convene a meeting of the parties concerned to allow each to present their case and respond to the other party with a view to reaching a resolution
- Convene a meeting of the appeals committee.

### **Appeals committee**

The Appeals Committee may be convened to:

- hear a formal complaint
- review a decision made by Ausdance Vic in relation to a complaint
- Review an assessment decision.

The Appeals Committee must be provided with all relevant information to allow it to reach a fair and impartial decision.

- The Committee will review the information presented to the original decision maker and consider whether the decision reached was reasonable in all the circumstances of the complaint.
- The Appeals Committee may, as it sees fit, call the parties to the dispute before it to present their case.
- The Committee will, by majority, make a written recommendation as to whether the original decision was fair and reasonable. The Appeals Committee may make a determination on the case or make recommendations to the Director.

As the role of the Appeals Committee is to review an existing case, it will not ordinarily receive new information or evidence.

Where the appellant wishes to present new information, it must first be submitted to the Director, Ausdance Vic for consideration and review of the original decision.

### **Notification of outcome**

Ausdance Vic will notify relevant parties of the outcome of each case, including reasons for the decision, within 10 working days of the decision being made.

All correspondence must be digitally archived in the relevant job file, learner evidence folder or HR file.