



# PP011 Complaints & Appeals Policy and Procedure

## Version Control

| Version | Date       | Description                                                                                         |
|---------|------------|-----------------------------------------------------------------------------------------------------|
| 1       | 30/06/2020 | Formalisation of Norgrove Training's complaints and appeals management into a policy and procedure. |
| 2       | 20/11/2020 | Traineeship requirements included in preparation for 2021 delivery.                                 |
| 3       | 2/2/2023   | Logo Change                                                                                         |
| 4       | 12/9/2023  | Minor wording changes                                                                               |

## POLICY

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Norgrove Training is committed to transparency in the manner in which the RTO receives and handles complaints made about the organisation, its partners including employers and its employees, as well as how applicant/student appeals may be received and will be handled. The Policy and Procedure aims to assist in resolving complaints and appeals in an efficient, effective and professional manner, in order that Norgrove Training may demonstrate its responsiveness to the needs and concerns of students, staff, partners and all stakeholders.

All complaints and appeals will take into account the RTO's policies, the applicable conditions of enrolment (if a student) and all relevant legislation and regulation, when determining the outcome of a complaint or appeal.

This Policy and Procedure also assures complainants/appellants that their complaints/appeal, can be submitted without fear of reprisal.

## SCOPE

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This Policy and Procedure covers all of Norgrove Training's training services.

All staff must adhere to this Policy and Procedure.

## RESPONSIBILITIES AND ACCOUNTABILITIES

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This version of the Policy and Procedure and any amendments to related documents, have been authorised by Norgrove Training's Chief Executive Officer (CEO). The RTO Manager, as delegated by the CEO, is responsible for ensuring this Policy and Procedure is implemented at all times. The RTO Manager, is also responsible for ensuring this Policy and Procedure is maintained and up to date through an annual revision, as well as through any ongoing quality activities, including audits and feedback.



## PROCEDURES

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Norgrove Training strives to ensure that each student is satisfied with their learning experience and outcome. It is anticipated that issues of concern can be resolved by meaningful and respectful communication. In the unlikely event that this is not the case, all students have access to rigorous, fair and timely complaint and appeal processes which are outlined in this document. The same processes will be made available to any other stakeholder, who is seeking to lodge a complaint, for example, an employer about an RTO employee.

This is based on the principles of natural justice and fairness, that will ensure all complaints and appeals are addressed effectively and efficiently. This complaints and appeals policy, ensures students and other stakeholders understand their rights as well as the responsibilities of the RTO.

This Policy and Procedure is available to all persons wishing to make a complaint, appeal or any other manner of objection, in relation to the conduct of Norgrove Training. This is through the website, the **Student Handbook** and **Student Induction Handbook**.

Any complaints or appeals will be reviewed as part of the continuous improvement process and where corrective action has been highlighted, it will be implemented as a priority. This approach ensures that outcome of the complaints process, provides a positive and constructive contribution to the operations of the RTO.

### **Principles of Transparency and Natural Justice**

Norgrove Training 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. The RTO will ensure that the decision maker, is independent of the decision being reviewed and that anyone subject to a decision by Norgrove Training 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.

Staff handling both informal and formal complaints and appeals, will ensure that they treat the complaint and appeal as serious and are respectful of all parties. No complainant/appellant will be disadvantaged in any way, including students who may continue with their studies. The complaint and appeals will be held in strictest confidence with only delegated officers, (refer to the **RTO Delegations Register**) and those involved in the matter, receiving information about the complaint and appeals along the way of its resolution.

Where a complaint and appeal is likely to take more than 60 days to investigate, the RTO will inform the complainant/appellant in writing, via an email and commits to the provision of regular written updates in the form of emails, at least fortnightly (refer below for further detail).

In summary, in all circumstances complaints and appeals will be handled according to the following principles of transparency and procedural fairness:



- All complainants/appellants have a right to be heard.
- Norgrove Training recognises, protects, and promotes the rights of any person including an employee, to lodge a complaint.
- Norgrove Training **Complaints and Appeals Policy and Procedure** is accessible on the website with further reference in the **Student and Staff Handbooks**.
- This **Complaints and Appeals Policy and Procedure** is discussed during student and staff induction.
- A copy of the **Complaints and Appeal Form** may be accessed from the website or any staff member.
- A complaint or appeal must be lodged on the **Complaints and Appeal Form** and submitted to the attention of Norgrove Training's RTO Manager. This may be provided in person at reception, or through an email: [ntadmin@norgrovetraining.com.au](mailto:ntadmin@norgrovetraining.com.au).
- All complaints and appeals will be acknowledged in writing, by the RTO Manager and within 10 working days of the completed **Complaints and Appeal Form**.
- The handling of any complaint or appeal by Norgrove Training is only on a 'need to know' basis and will be held in a secure and confidential manner.
- All complaints and appeals will begin to be assessed, within 14 working days of their lodgement, with a commitment to finalising the outcome as soon as practicable. This time period will allow for the RTO Manager to collect as much evidence to support the investigation.
- A complainant/appellant has a right to be consulted during the resolution process and to participate in deliberations, as appropriate.
- A complainant/appellant has the right to bring along a support person at any stage but must inform the RTO Manager, at least 2 days prior, for Tier Two and Three resolutions.
- There will always be a provision of a right of reply, from the person whom the complaint or appeal of decision 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 to pursue, should they remain dissatisfied by the RTO Managers response. This will always be in a written statement, including the reasons for the outcome. This will always be within 5 working days of the investigation's outcome.
- A written record of the complaints or appeal, will be held on the Complaints and Appeals file and lodged onto Norgrove Training's **Complaints and Appeals Register**, including the cause and remedy put in place.

Norgrove Training complaints and appeals will be reviewed at its **Quality Advisory Committee** meetings and may result in a continuous improvement process. In these cases, adjustments will be made to planning, policies and processes, if it is found that systems are lacking. Norgrove Training also recognise that collecting and analysing information around complaints and appeals, is one way for the RTO to improve its services. This in turn will enhance the level of satisfaction, which employees and stakeholders have in the RTO's performance. When the initial causative factor of the complaint, identifies a problem with existing policies and/or procedures, the continuous improvement procedure, will ensure changes are made to prevent a reoccurrence of the problem.



Where the matter may require individual and/or staff training, the RTO Manager will organise this within one month of the complaint/appeal's resolution. Should the matter be deemed as high or medium risk to Norgrove Training, it will be included in the RTO's internal auditing schedule to ensure that the amended practices are embedded across the RTO. The RTO Manager is responsible for ensuring that the agreed actions are implemented and monitoring the likelihood of re-occurrence.

### **Complaints**

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

- products and services
- policies, and/or
- conduct of staff, including but not limited to the RTO Manager, trainers and assessors, the student support, administration staff, etc, and any third-party service provider.

A complainant is the person making the complaint. This may include:

- student and/or their parents/guardians and/or their families
- a member of the public
- an employee
- a stakeholder, and/or
- an employee of an engaged stakeholder or partnership body.

The complaints procedure will address both formal and informal complaints. A grievance (or 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. This is acted upon as a Tier One resolution. A formal complaint is one that is considered more serious and complex and will require investigation or consultation and will be treated as a Tier Two and/or Tier Three resolution, as required.

A student may lodge a complaint regarding Norgrove Training staff; third party; subcontractor; another student or a related stakeholder, such as an employer where the student is placed on work placement. There is also provision for any and all interested stakeholders, to make a complaint if they feel aggrieved.

### **Appeals**

An appeal is where a student wishes to express dissatisfaction, with a particular assessment result and/or another adverse RTO decision impacting the student, such as non-eligibility to enrol.

Norgrove Training's appeals process is concerned with a student's right to request change to decisions or processes of an official nature, usually in relation to academic or procedural matters.

In the case of a student's appeal against specific assessment decisions, the student should first discuss the decision(s) with the relevant trainer and assessor and request re-evaluation (Tier One). The trainer and assessor will hear the student's appeal, make fair judgement to the best of their ability, as to whether change(s) are required and then discuss their final decision with the student.



If the student is still dissatisfied with the decision, they have the right to take the appeal to the management team (Tier Two). The formal notice of appeal is required to comply with the following:

- the request for an appeal should be in writing, using Norgrove Training's **Complaints and Appeals Form**, and
- the request for an appeal must be submitted within 5 working days of any informal reassessment of the decision, otherwise the original result will stand. If a student's appeal needs to be deferred due to emergency circumstances, such as in the case of serious illness or injury, a medical certificate supporting the case must be forward to the RTO Manager. The notice of deferral must be submitted within 3 working days of the conclusion date displayed on the medical certificate.

For Tier Two review of appeals, the RTO Manager will organise and chair an **Appeals Review Committee**, with representation from an external expert, such as a VET Consultant and a trainer and assessor (membership will not include any staff member who has been involved in any decision making to date in regards to the matter). This will be held within 5 working days of receipt of the **Complaints and Appeals Form**. The RTO Manager will prepare all the available evidence for presenting to the Committee.

The outcome of the appeal will be in writing to the appellant and will advise of the reasons for the decision. This will be issued to the appellant within 5 working days of the Committee's meeting.

Where the complainant/appellant remains dissatisfied with the outcome of the complaints and appeals handling procedure, they are directed to the following external agencies, as the Third Tier independent resolution point:

- the Resolution Institute's South Australian charter – this will be organised by Norgrove Training, which will ensure that this independent party has all the documentation and evidence, to fully prepare for the session. All fees will be fully covered by Norgrove Training. However, should the appellant not agree to the resolution determined by the Resolution Institute, it may decide on an alternative resolution agency and the applicant will be expected to fully cover all expenses from this point.
- The Resolution Institute's details are as follows:

Website: <https://www.resolution.institute/resolving-disputes/get-a-professional>

Phone number: 1800 651 650

This Third Tier will be organised by the RTO Manager with responsibility for:

- Organising this independent resolution tier within 10 calendar days of written advice from the complainant/appellant and/or where it has been mutually agreed that an independent review is in the complainant/appellant's best interest
- Ensuring that both parties must agree to participate in this tier in good faith, with a willingness to find a resolution
- Advising both parties that they may bring up to 2 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
- Informing that the decision of the Third Tier independent review will be taken as final, by both parties and reported to the RTO's management



- the complainant/appellant will be informed in writing of the decision by the Resolution Institute and will require immediate implementation/action, and
- Ensuring the complainant/appellant knows that there is no cost. However, should the complainant/appellant remain dissatisfied and does not accept the Resolution Institute's findings, and wishes to take the complaint/appeal further and/or seek a review of the decision, it must be organised by the complainant/appellant and all expenses related to this further stage, will be incurred by the complainant/appellant from this point in time.

### **Other Avenues for Lodging a Complaint/Appeal**

Norgrove Training is committed to operating transparent business practices.

Complainants/appellants are advised of their rights to complain to other appropriate parties. These include:

- ASQA: will be directed to: <https://www.asqa.gov.au/complaints/getting-started-making-complaint-about-training-provider>. There is no lodgement fee related with ASQA complaints.
- The National Training Complaints Hotline: will be directed to call 133 873. There is no fee related to lodging a complaint with the Hotline.
- The South Australian Civil and Administrative Tribunal: will be directed to: ph: 1800 723 767 and website: <http://www.sacat.sa.gov.au/> to complete the on-line Application Form. A fee of \$78 (or \$58 concession applies – effective as of 30 June 2020), which will be required to be paid by the complainant/appellant.
- For trainees only: call 1800 673 097 or email [dis.skills@sa.gov.au](mailto:dis.skills@sa.gov.au), or for any complaints about an employer, contact the South Australian Employment Tribunal by calling 8207 0999 or visit their website [www.saet.sa.gov.au](http://www.saet.sa.gov.au)

### **Delayed Processes**

In the unusual circumstances where a delay in the complaint or appeal process occurs, where longer than sixty (60) calendar days are required to process and finalise the complaint or appeal, Norgrove Training will inform the complainant/appellant in writing.

In line with the importance that Norgrove Training places on open and transparent processes and communication, the first written communication will be made, at least 10 days from the time of lodgement. From that point, the complainants/appellant will be regularly updated, on the progress of the matter. Including reasons why more time is required, at least fortnightly.

## **SOUTH AUSTRALIAN FUNDING REQUIREMENTS**

Should a funded student under the Skilling South Australia program wish to lodge a complaint about Norgrove Training with the department, they will be directed to the Department of Innovation and Skills:

- Phone: 1800 673 097
- Email: [skills@sagov.au](mailto:skills@sagov.au)



## SUPPORTING DOCUMENTS

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|         |                                 |
|---------|---------------------------------|
| D011-01 | Complaints and Appeals Form     |
| D002-01 | Student Handbook                |
| D002-12 | Student Induction Handbook      |
| D022-01 | Staff Handbook                  |
| D011-03 | Complaints and Appeals Register |

## SUPPORTING CHECKLISTS

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|---------|-----------------------------|
| C002-03 | Student Induction Checklist |
| C022-01 | Staff Induction Checklist   |

## RELATED POLICIES AND PROCEDURES

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|-------|-----------------------------------------------------------|
| PP002 | Application and Enrolment Policy and Procedure            |
| PP006 | Quality Training and Assessing Policy and Procedure       |
| PP013 | Fair Treatment and Equal Opportunity Policy and Procedure |
| PP018 | Commitment to Quality Policy and Procedure                |