

## PURPOSE

The purpose of this policy and procedure is to outline the Indie Education approach to managing dissatisfaction, formal complaints and appeals of students, participants, clients and other members of the community. It provides a transparent approach for all complaints and appeals to be addressed in a fair, efficient and confidential manner.

**Please Note:** Staff of Indie Education must use the Staff Complaints and Appeals process documents.

## POLICY

Indie Education responds to all allegations involving the conduct of:

- The RTO, its Trainers and Assessors (Coaches) and other staff
- Any Student, Learner, Participant, or client of the Indie Education.

Complaints may be made in relation to any of Indie Education's services and activities such as:

- the application and enrolment process,
- marketing information
- the quality of training and assessment provided
- training and assessment matters, including student/participant progress, student/participant support and assessment requirements
- the way someone has been treated
- the actions of another student.

Appeals should be made to request that a decision made by, or on behalf of, Indie Education is reviewed. Decisions may have been about:

- assessment outcomes / results
- acceptance into a course
- refund assessments
- response to a complaint
- other general decisions made by Indie Education.

Indie Education is committed to developing a procedurally fair complaints and appeals process that is carried out free from bias, following the principles of natural justice. Through this policy and procedure, Indie Education ensures that complaints and appeals:

- Are responded to in a consistent, transparent, and fair manner, free from bias
- Are responded to promptly, objectively, with sensitivity and confidentiality
- Can be made at no cost to the complainant or appellant
- Are used as an opportunity to improve; by identifying potential causes of the complaint or appeal and taking actions to prevent or reduce the likelihood of re- occurrence.

Complaints and appeals will be finalised as soon as practicable or at least within 30 calendar days unless there is a significant reason for the matter to take longer. In matters where additional time is needed, the complainant or appellant will be advised in writing of the reasons and will be updated weekly on the progress of the matter until such a time as the matter is resolved.

Indie Education will maintain a record of all complaints and appeals and their outcomes on the *Complaints and Appeals Register* which is stored securely on our internal file management system. If a complaint or appeal involves a student or staff member, details will also be held on the relevant secure file which only authorised staff have access to.

Nothing in this policy and procedure limits the rights of an individual to act under Australia's Consumer Protection laws and it does not circumscribe an individual's rights to pursue other legal remedies.

This Policy will be made available on our website at [www.indieeducation.edu.au](http://www.indieeducation.edu.au) and outlined in our Student Handbook.

## **PROCESS**

### **Informal Resolution as the First Step**

In the first instance, complainants are encouraged to discuss their matter(s) informally with the parties involved.

Where possible, disputes should be managed and resolved between the parties informally. An Informal process would typically be:

- A discussion
- Focus on explaining issues or concerns towards a positive agreement or outcome
- Equal opportunities to explain and respond for understanding to occur between parties involved
- Respectful outcomes agreed and abided by
- Some record made for future reference of the informal process taken to resolve complaint.

Any member of staff can be involved in the informal process to resolve issues, but if the student/participant wishes to place a formal complaint, then the following process must be followed:

### **Making a Complaint or Appeal**

Complaints about a particular incident should be made within 30 calendar days of the incident occurring and appeals must be made within 30 calendar days of the original decision being made.

Complaints and appeals should be made in writing, or another format and sent to:

**Human Resources, Indie Education, 63 High Street, Wodonga, Vic 3690**

When making a complaint or appeal, provide as much information as possible to enable us to investigate and determine an appropriate solution.

This should include:

- The issue you are complaining about or the decision you are appealing. Describe what happened and how it affected you.
- Any evidence you have to support your case
- Details about the steps you have already taken to resolve the issue
- Suggestions about how the matter might be resolved
- Your contact details.

Complaints and appeals will be acknowledged in writing via email or post. Acknowledgement should be received within 7 days of lodgement.

### **Resolution of Complaints and Appeals**

A member of Indie Education staff at an appropriate level, will be involved in resolving complaints and appeals as outlined in our procedures.

Where a complaint or appeal involves another individual, they will be given the opportunity to respond to any allegations made. They will also be advised in writing of any allegations made against them.

In the case of an assessment appeal, an assessor who is independent from original decision will assess the original task again. The outcome of this assessment will be the result granted for the assessment task.

As per Clause 4.9 of the Skills First Contract, Indie Education will respond and co-operate in good faith with the Department in its resolution of student/participant complaints made to, or other issues raised with the Department in relation to the Training providers delivery of Training Services.

### **Independent Parties**

Indie Education acknowledges the need for an appropriate independent party to be appointed to review a matter where this is requested by the complainant or appellant and the internal processes have failed to resolve the matter. Costs associated with independent parties to review a matter must be covered by the complainant/appellant unless the decision to include an independent party was made by the Indie Education.

The independent party recommended by Training Partners Australia is the Melbourne Commercial Arbitration and Mediation Centre (<http://www.mcamh.com.au/>) who have a cost of \$950 per matter; however, complainants and appellants can use their own external party at their own cost.

Indie Education will provide complete cooperation with the external party investigating the complaint/appeal and will be bound by the recommendations arising out of this process.

Indie Education will ensure that any recommendations made are implemented within twenty (20) days of being notified of the recommendations. You will also be formally notified in writing of the outcome of the mediation.

### **External Complaint Avenues**

External complaints can also be made via the following avenues:

#### **Australian Skills Quality Authority (ASQA)**

You may also complain to our RTO's registering body: Australian Skills Quality Authority (ASQA). This step must only occur once you have followed the RTO's inhouse complaint's procedure and feel unsatisfied with the outcome.

However, ASQA's will only use the information you provide to inform its regulatory approach and will not contact us on your behalf or act as your advocate. For more information, refer to the following webpage: <https://www.asqa.gov.au/about/complaints/complaints-about-training-providers>

#### **National Complaints Hotline**

The National Training Complaints Hotline is a national service for consumers to register complaints concerning vocational education and training. The service refers consumers to the appropriate agency/ authority/ jurisdiction to assist with their complaint. Consumers can register a complaint with the National Training Complaints Hotline by:

- Calling: 13 38 73, Monday–Friday, 8am to 6pm nationally.
- Email: [skilling@education.gov.au](mailto:skilling@education.gov.au)

For more information about the National Complaints Hotline, refer to the following webpage: <https://www.industry.gov.au/about-us/complaints-and-feedback>

### **NDIS Commission**

People with disability have the right to complain about the service they receive. If you have a concern about your current NDIS supports or services, it is important that you talk about it.

A complaint can be made to the NDIS Commission by:

- Phoning: 1800 035 544 (free call from landlines) or TTY 133 677. Interpreters can be arranged
- [National Relay Service](#) and ask for 1800 035 544.
- Completing a [complaint contact form](#).