

## 1. PURPOSE, SCOPE, AUTHORITY AND DEFINITIONS

<p><b>Purpose</b></p>	<p><b>The purpose of this Policy and Procedure is to ensure that complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively.</b> This includes issues/complaints in relation to anticipated or expected performance as well as anticipated or expected outcomes of training and assessment.</p> <p>The Policy is underpinned by a transparent procedure that enables trainees and clients to be informed of and to understand their rights and Newskills' obligations as an RTO under the Standards RTO 2015.</p> <p>The policy and its related procedures must ensure that:</p> <ul style="list-style-type: none"> <li>• All stakeholders are aware of the organisation's complaints/issues process</li> <li>• Requests for a review of decisions, including assessment decisions made by Newskills are accepted and acted on</li> <li>• All complaints/issues or appeals are documented in writing</li> <li>• Appellants are given an opportunity have their appeal heard</li> <li>• Appeals are heard by person(s) independent of Newskills Ltd.</li> <li>• The resolution/outcome of issues/complaints matters are documented</li> </ul> <p>The Policy addresses the compliance requirements of the Standards RTO 2015: Standard 6); VET Quality Charter; VRQA and State Funding Agreements that Newskills is a party to.</p>
<p><b>Scope</b></p>	<p>This policy applies to all persons enrolled or seeking enrolment with Newskills Ltd. for training and assessment services as well as workplaces/clients and those employed or contracted to Newskills Ltd. for the delivery of Newskills Ltd. services.</p> <ul style="list-style-type: none"> <li>✓ Community; members of the public who are affected by the actions of Newskills can have their concerns addressed promptly</li> <li>✓ Learners/Trainees; Trainees have any concerns about their training or assessment addressed promptly and equitably</li> <li>✓ Newskills as a provider; Newskills' Complaints and Appeals procedure leads to increased satisfaction of learners</li> </ul>
<p><b>Authority</b></p>	<p>The CEO is responsible for the control, issue and implementation of this policy.</p> <p>The Learning and Implementation Manager is responsible for continuous improvements in relation to this process.</p> <p>The National Training Manager conducts trainer induction, manages the training team and trainers to ensure adherence to this Policy.</p> <p>The Administration team is responsible for documenting all customer concerns and reporting them to the National Training Manager.</p>

<b>Definitions</b>	Dissatisfaction with a procedure, outcome or quality of service provided by Newskills Ltd. made in writing, including a request to review assessment decisions.
<i>Complaint /Appeal</i>	The written request for independent reconsideration of a resolution made by Newskills Ltd. in response to an issues/complaint.
<i>Issues/Complaints Committee</i>	A Committee of three must be drawn from the following people to hear/consider a complaint/issues: <ul style="list-style-type: none"> <li>• Trainer with expertise in relevant area</li> <li>• Trainee/Student enrolled in relevant area</li> <li>• CEO of Newskills Ltd.</li> <li>• Complainant's employer or employer representative</li> </ul>
<i>Independent Arbiter</i>	National Training Manager, a person who has been nominated by Newskills Ltd. to hear appeals, and has no conflict of interest with any appeals party.  National Training Manager acts as Newskills' <b>Customer Protection Officer</b>

## 2. POLICY DIRECTIVE

Newskills Ltd. is to respond to issues and complaints under the ASQA National standards for RTO 2015 and State Funding Agreements in respect of:

- Pre-enrolment information/enquiry processes
- Student selection, enrolment and orientation/induction processes
- Conduct of training and assessment including contract performance and management
- Skills recognition, recognition of prior learning, current competence or mutual recognition
- Issue of credentials
- Statutory and regulatory responsibility including access and equity, privacy, harassment or discrimination

This policy requires Newskills Ltd. to implement processes to deal with complaints and issues in a constructive manner and to offer appeal processes where satisfactory resolution has not been achieved.

The effective handling of customer complaints and issues is to be managed within the Quality System. All issues/complaints are to be logged and the processes implemented for their review and resolve are to be documented. All actions/decision made in relation to the matter are also to be documented and feedback regarding the decision/resolution agreement forwarded to relevant parties.

Responsibility for the handling of issues/complaints is documented above.

All students, staff and stakeholders who have dealings with Newskills Ltd. as an RTO, are to be advised of this policy and the processes available to resolve issues/complaints. Materials/information provided on this matter must demonstrate the organisation's commitment to manage matters fairly and equitably and as efficiently as possible.

All reports of issues and complaints arising through customer dissatisfaction with training and assessment products/services or relevant organisational operations are to be documented, forwarded and held by the CEO. Any quality system amendments arising from issues/complaints matters must be added to the Risk Matrix and monitored by the CEO.

The Complaints and Appeals procedure is conducted in compliance with Standards RTO 2015 and Newskills' Customer Protection Policy (NSPOL028)

### 3. APPEALS

All decisions and actions impacting on Newskills Ltd. customer satisfaction, including those directly related to the delivery of training and assessment are open to appeal by clients who perceive their rights have been diminished or jeopardised.

Appeals form part of the organisation's risk management approach in as much as they contribute to the organisation's understanding of performance based on knowledge, views and expectations of customers in relation to service quality and organisational performance.

Appeal processes are to be managed as a series of procedures to ensure all appellants have an opportunity to present their case.

Hearings for appeals are to be held by an independent party to ensure justice. The complement of an appeals panel is specified in the relevant procedures.

### 4. POLICY GUIDING PRINCIPLES:

In dealing with complaints and appeals Newskills is guided by the following principles:

- ✓ Ensure that principles of natural justice and procedural fairness are adopted at every stage of the complaint or appeal process
- ✓ Newskills' complaints and Appeal Policy is publicly available
- ✓ Ensures that there is a clear procedure for making a complaint or requesting an appeal
- ✓ Ensures complaints and requests for an appeal are acknowledged in writing and finalised promptly

### 5. CUSTOMER PROTECTION OFFICER

- 5.1. The National Training Manager will be the designated Customer Protection Officer. Their role will be to handle all complaints and grievances and to ensure Consumer Protection contractual compliance with the relevant legislation and State funding Agreements.
- 5.2. The contact details of the Customer Protection Officer are as follows: (03) 9321 4500; e-mail: [sfrancis@newskills.com.au](mailto:sfrancis@newskills.com.au); head office address: 270 Rosslyn St, West Melbourne, VIC 3003

## 6. COMPLAINTS AND APPEALS PROCEDURE

Procedure for a making a complaint or lodging an appeal:

When a complaint or an appeal could not be resolved directly with the trainer and a complainant or appellant chooses to lodge a formal complaint/appeal, the trainee/complainant/appellant is provided with Handling Issues/Complaints form (F112).

- 6.1. A completed form must be sent to the National Training Manager.
- 6.2. The National Training Manager acknowledges a receipt of the Complaint /Appeal form in writing and advises the complainant/appellant of the process , including a copy of the Newskills' Complaints and Appeals Policy and Procedure and timeframes of responding to the complainant' appellant with resolution.
- 6.3. The Complaint/Appeal is entered into the Newskills' complaint's register by the Administration.
- 6.4. The National Training Manager considers the complaint or a request for an appeal of the decision and either offers a resolution to their own or calls a meeting of an committee to consider a resolution to the complaint /appeal within 60 working days. Where more than 60 days are required to process and finalise the complaint or an appeal , Newskills :
  - a) informs the complainant/appellant in writing , including reasons why more than 60 calendar days are required and
  - b) regularly updates the complainant or appellant on the progress of the matter.
- 6.5. The National Training Manger advices the CEO of the proposed resolution and seeks the CEO's approval of the proposed resolution.
- 6.6. The National Training Manager informs the complainant /appellant in writing of the resolution by providing reasoning and opportunities for f a further review of the decision if necessary. In that letter the National Training Manager seeks the acceptance of the resolution by the complainant in writing.
- 6.7. Once the resolution is accepted the outcome is entered into the Complaints register.

## 7. THIRD PARTY REVIEW

- 7.1. Where the complainant/appellant is not happy with the outcome Newskills will make arrangements for an independent third party to review the complaint tor appeal. Newskills will disclose any costs associated with a third party review. These costs should be reasonable and fair for Newskills and the complainant/ appellant may need to pay some of the costs. The complainant/appellant will be made aware of these costs.
- 7.2. If a student feels matters are unresolved to their satisfaction and wish to inform a third party, they will be provided with further support as necessary. Trainees/clients may wish to seek assistance or a review from an independent organisation such as:

ASQA (Australian Skills Quality Authority); Phone: 1300 701 801; [www.asqa.gov.au](http://www.asqa.gov.au)

# Complaints and Appeals Policy and Procedure



7.2.1. The trainee/client needs to be made aware that ASQA will only consider your complaint if you include evidence that you have already exhausted your provider's complaints and appeals process. (In exceptional circumstances, ASQA may consider your complaint without this evidence.)

7.3. If the course is part of the NSW Department of Education and Communities funded programs you should contact their Consumer Protection Unit for Students. They can do so at: <https://smartandskilled.nsw.gov.au/for---students/consumer---protection--for---students>

## 8. RECORDS

Newskills will maintain records of all complaints and appeals via a Complaints Register of Complaints and Appeals (Office Manager) .

Newskills reviews regularly (quarterly) trainee and clients' evaluations and will identify potential causes of complaints and appeals. Newskills' Learning and Implementation Manager is responsible for implementation of corrective actions to eliminate or mitigate the likelihood of reoccurrence.

## 9. OVERVIEW OF THE POLICY AND PROCEDURE:

- 9.1. Every attempt will be made to resolve any student complaints using the Newskills' Complaints and Appeals Policy.
- 9.2. Newskills' forms are written in a simple language and are user-friendly
- 9.3. Newskills will provide all the necessary support to the complainant/appellant during the resolution process
- 9.4. Any complaint or grievance will be actioned as part of our commitment to Continuous Improvement. On notification of a complaint or grievance procedures will be followed as per this Policy