

Complaints Handling

1. Purpose

ISH24 is committed to providing a fair and transparent complaint handling process.

2. What is a complaint?

A complaint is generally negative feedback about services or people which has not been resolved locally.

3. Who does this policy apply to?

This policy applies to and may involve issues concerning the conduct of:

- ISH24 as an organisation, its trainers, assessors or other staff
- Third party's services provided on the behalf of ISH24, its trainers, assessors or other staff
- A learner of ISH24.

This is an important point to note in understanding that this policy has a broad application and is not simply relevant to complaints that may be made by learners. A complaint may be made by an employer about ISH24 or by the trainer about the conduct of the learner. Throughout this policy we refer to the person making a complaint as simply the complainant.

4. Early resolution of complaints

In all cases, issues that arise during training and assessment that are the source of frustration or are in dispute should be resolved at the time they occur between the persons involved. It is often the case that complaints can be avoided by proper communication and respect between persons involved.

5. Relationship to continuous improvement

Frequently, the complaints handling process will expose weaknesses in the training and assessment or administrative system that can flow into the continuous improvement system as opportunities for improvement. This outcome of complaints handling is very positive and should be actively applied by all persons involved. It is for this reason that complaints received from stakeholders should be seen in a positive light and as opportunities for improvement.

6. Making a complaint

A complaint may be received by ISH24 in any form and does not need to be formally documented by the complainant in order to be acted on. Complaints may be made by any person. To make a complaint, the person is recommended to complete the ISH24 - Complaint Form.

This form is available via our website or can be obtained from the ISH24 office. The completed complaint form is to be submitted to the ISH24 RTO/Education Manager either in hard copy or electronically via the following contact details:

- ISH24, 10 Trantara Court, Bendigo, VIC 3550
- vic.admin@ish24.com.au

If a complainant has any difficulty accessing the required form or submitting the complaint to ISH24, they are advised to contact ISH24 immediately at the following phone number:

- 1300 001 201

7. Complaint handling procedure

ISH24 will apply the following procedure to its complaints handling:

- A complaint may be received in any form (written, verbal) although persons seeking to make a complaint are recommended to complete the complaint form which is available to them on the website. There is no time limitation on a person who is seeking to make a complaint. A person who makes a complaint must be **provided a written acknowledgement** as soon as possible and **not later than 24 hours** from the time the complaint is received. This acknowledgement is intended to provide the complainant assurance that ISH24 had received the complaint and will review the relevant issues and provide a response. The acknowledgement must inform the complainant that they will receive a written response within 14 days.
- A written record of all complaints is to be kept by ISH24 including all details of lodgment, response and resolution. The complaints register within RTO Data is to be used to record the details of the complaint and to maintain a chronological journal of events during the complaint handling process. Records relating to complaint handling must be stored securely to prevent access to unauthorised personnel.
- A complainant is to be provided an opportunity to formally present his or her case at no cost.
- Each complainant may be accompanied and/or assisted by a support person at any relevant meeting.
- Where a complaint is made about or involves allegations about another person, ISH24 is obliged to inform this person about this complaint or allegation and provide them the opportunity to respond and present information in response to the issues raised. This may be achieved through direct meetings or meeting via an electronic means. ISH24 must maintain a detailed record of these meetings in the form of a record of conversation. At all times information must be handled sensitively and treated in confidence. Persons involved in a dispute or complaint should be reminded to treat each other with respect and conduct themselves in a professional and courteous manner.
- Where a complaint is received by ISH24 which involve allegations about alleged criminal conduct, ISH24 is to recommend the person making the complaint refer the matter to the relevant State or Territory Police Service.
- The complaints policy must be publicly available. This means that the complaints policy and procedure must be published on the ISH24 website.
- The handling of a complaint is to commence within **seven (7) working days** of the lodgment of the complaint and all reasonable measures are taken to finalise the process as soon as practicable.

- The complainant is to be provided a written response to the complaint, including details of the reasons for the outcome. A written response must be provided to the complainant within **fourteen (14) working days** of the lodgment of the complaint.
- Complaints must be resolved to a final outcome within **sixty (60) calendar days** of the complaint being initially received. Where the ISH24 RTO/Education Manager considers that more than 60 calendar days are required to process and finalise the complaint, the RTO/Education Manager must inform the complainant in writing, including reasons why more than 60 calendar days are required. As a benchmark, ISH24 should attempt to resolve complaints as soon as possible. A timeframe to resolve a complaint within thirty (30) calendar days is considered acceptable and in the best interest of ISH24 and the complainant. A complainant should also be provided with regular updates to inform them of the progress of the complaint handling. Updates should be provided to the complainant at a minimum of **two (2) weekly intervals**.
- ISH24 shall maintain the enrolment of the complainant during the complaint handling process.
- Decisions or outcomes of the complaint handling process that find in the favour of the learner shall be implemented immediately.
- Complaints are to be handled in the strictest of confidence. No ISH24 representative is to disclose information to any person without the permission of the ISH24 RTO/Education Manager. A decision to release information to third parties can only be made after the complainant has given permission for this to occur. This permission should be given using the Information Release Form.
- Complaints are to be considered and handled to ensure the principles of natural justice and procedural fairness are applied at every stage of the complaint handling process. This means that the complainant is entitled to be heard with access to all relevant information and with the right of reply. The complainant is entitled to have their complaint heard by a person that is without bias and may not be affected by the decision. Finally the decision must be made based on logical evidence and the decision-maker must take account of relevant considerations, must act for a proper purpose and must not take into account irrelevant considerations. Further guidance on principles of natural justice and procedural fairness can be accessed at the following link:

<http://www.ombudsman.wa.gov.au/Publications/Documents/guidelines/Procedural-fairness-guidelines.pdf>

8. Informing Persons and Responding to Allegations

Where a complaint involves one person making allegations about another person, it is a requirement for ISH24 to hear both sides of the matter before making any judgements about how the complaint should be settled. A person who will be affected by a decision made by ISH24 as a result of a complaint has the right to be fully informed of any allegations and to be provided adequate opportunity to be heard and respond.

The person has the right to:

- put forward arguments in their favour
- show cause why a proposed action should not be taken
- deny allegations
- call for evidence to disprove allegations and claims
- explain allegations or present an innocent explanation
- provide mitigating circumstances (information aimed at reducing the severity, seriousness, of something).

ISH24 also has an obligation to fully consider the substance of allegations and the response provided by parties before making a decision. Decisions must be communicated to the complainant and relevant persons subject of allegations in writing. This is to include advising these persons of their right to seek a third party review of decisions made by ISH24.

Where an allegation is made that involves alleged criminal or illegal activity and it is considered outside the scope and expertise of ISH24 to investigate the matter, then in these circumstances ISH24 reserve the right to report these allegations to law enforcement authorities. Persons related to the matter involving alleged criminal or illegal activity will be advised in writing if this course of action is being taken.

9. Third Party Review

Where the person making a complaint is not satisfied with the handling of the matter by ISH24, they have the opportunity for a body or person that is independent of ISH24 to review his or her complaint following the internal completion of complaint handling process. Before a person seeks a review by an independent person, they are requested to first allow ISH24 to fully consider the nature of the complaint to fully respond to the person in writing. If after this has occurred, the person is not satisfied with the outcome, they can then seek a review by an independent person. To request a review by an independent person, the complainant should inform Training Admin of their request who will initiate the process with the ISH24 RTO/Education Manager.

In these circumstances the ISH24 RTO/Education Manager will advise of an appropriate party independent of ISH24 to review the complaint outcome (and its subsequent handling) and provide advice to ISH24 in regard to the recommended outcomes. The independent third-party is required to respond with their recommendations within **fourteen (14) working days** of their review being requested. This advice is to be accepted by ISH24 as final, advised to the person making a complaint in writing and implemented without prejudice.

Where the ISH24 appoints or engages an appropriate independent person to review a complaint, ISH24 will meet the full cost to facilitate the independent review. Where the person seeking an appeal objects to this appointment and requests to engage a person or organisation they nominate to undertake the review, the ISH24 may seek the person making a complaint to contribute to the cost of engaging this person to undertake the review. This is advised to the person making a complaint within the Learner Handbook.

Where a complaint is received by ISH24 and the RTO/Education Manager feels that there may be bias or there is a perception of bias, then the complaint is to be referred directly to an independent third-party for consideration and response as outlined above.

10. Unresolved Complaints

At full conclusion of the complaint handling process where the person making a complaint remains not satisfied with the outcome of the complaint handling procedure, the person making a complaint is to be directed to the following external agencies:

- In relation to consumer related issue, the person may refer their complaint to the Office of Fair Trading.

In relation to the delivery of training and assessment services, the person may refer their complaint to the National Training Complaints Service via the following phone number: **13 38 73**.



This guidance is communicated to learners within the Learner Handbook. It is expected that the above agencies will investigate the person's concerns and contact ISH24 for information.

ISH24 is to cooperate fully with agencies such as the National Training Complaints Service, the Office of Fair Trading or ASQA that may investigate the handling of a complaint. ISH24 considers that it would be extremely unlikely that a complaint is not able to be resolved quickly within ISH24 internal arrangements.

VERSION CONTROL

Date	Version	Changes Made		Changed by
		Grammar and Spelling	Formatting	
June 2017	1.1 <i>within ISH24 Policies and Procedures Manual</i>			
17/10/2022	2.0	Minor corrections	Updated formatting	Su White