

# Complaints and Appeals Policy

## Policy Ref

PN51

## Purpose

This Complaints and Appeals Policy and related procedure are designed to ensure that AMOSC responds effectively to individual cases of dissatisfaction. This policy outlines AMOSC's approach to managing complaints and appeals and ensures that all clients, training course participants, staff and other stakeholders are aware of the steps to take to have their dissatisfaction addressed appropriately.

This policy provides an avenue for all complaints and appeals to be addressed in a fair, efficient and confidential manner.

## Definitions

**Complaint** – a person's expression of dissatisfaction with any service provided by AMOSC.

**Appeal** – a request to review a decision that has previously been made.

## Scope

This policy applies to all AMOSC course participants, prospective course participants, client representatives, staff and other stakeholders of AMOSC.

## Policy

### Complaints and appeals systems

AMOSC is committed to developing and maintaining an effective, timely, fair and equitable complaints and appeals system which is easily accessible and offered to complainants at no charge. AMOSC aims to:

- a) develop a culture that views complaints and appeals as an opportunity to improve the organisation and how it works;
- b) set in place a complaints and appeals handling system that is client focused and helps AMOSC to prevent events that cause complaints and appeals from recurring;
- c) ensure that any complaints and appeals are resolved promptly, objectively, with sensitivity and in complete confidentiality;
- a) ensure that the views of each complainant and respondent are respected and that any party to a complaint or appeal is not discriminated against nor victimized;
- b) ensure that there is a consistent response to complaints and appeals.

All formal complaints and appeals and their outcomes will be recorded on the Complaints and

Appeals Register. In addition, the register will be regularly reviewed by the Training Executive team and used as an opportunity for improvement and reflection.

All formal complaints and appeals will be responded to efficiently to ensure an effective resolution within a reasonable timeframe, usually twenty (20) days or as soon as practicable. However in some cases, particularly if the matter is complex, the resolution may take longer.

Where a training course participant chooses to access this policy, AMOSC will maintain the course participant's enrolment while the complaints/appeals handling process is ongoing.

### **Nature of complaints and appeals**

Complaints and appeals may be made in relation to any of AMOSC's services, activities and decisions such as:

- a) the training course application and enrolment process
- b) the quality of course training and assessment provided
- c) course training and assessment matters, including course participant progress, assessment and outcomes
- d) access to personal records
- e) decisions made by AMOSC
- f) the way someone has been treated.

### **Resolving issues before they become a complaint**

Training course participants, member company representatives and other stakeholders are encouraged, wherever possible, to resolve concerns or difficulties directly with the person(s) concerned to deal with the issue before it becomes a formal complaint. AMOSC's training course trainers, assessors and administration team are available to assist course participants to resolve their issues at this level.

### **Lodging a complaint**

Formal complaints and appeals may be made in writing to the General Manager. All parties are encouraged to approach matters with an open view and to attempt to resolve problems through discussion and conciliation.

Complaints will be investigated by the General Manager or their delegate and a proposed resolution provided in writing within twenty (20) days.

### **Lodging an appeal of an assessment decision**

A request for an appeal of an assessment decision may be made in writing to the General Manager providing reasons why the assessment appeal is being made. Assessment appeals must be made within 20 days of the original assessment decision being made.

In the case of an assessment appeal, an internal review of the assessment will occur. As part of this process, where deemed necessary, AMOSC may appoint an independent, qualified assessor to

review and make a decision on the assessment.

Outcomes of an assessment appeal will be advised in writing within 20 days of receipt of the assessment appeal.

### **Internal appeal**

Where a complainant is dissatisfied with the result or conduct of AMOSC's internal procedures for handling of a complaint, the course participant has the right to lodge an internal appeal of the decision. An appeal must be lodged within 60 days of the decision being made.

An internal appeal will prompt the Training Executive team to review the decision made in response to the original complaint. The complainant may be asked to provide further information by phone, in writing or in person.

AMOSC acknowledges the need for an appropriate independent party to mediate where an appropriate outcome cannot be reached internally. Additionally, the complainant may request that an independent party be included in the appeals process. Upon request or the decision by AMOSC that this is required, AMOSC will organise an independent mediator to be included in the appeals process at the complainant's cost.

The outcome of the internal appeal will be advised in writing within 20 days of receipt of the assessment appeal.

### **External complaints and appeals**

Where the complainant remains dissatisfied with the outcome of the complaint and appeals process, the complainant can access an external complaints or appeals process at their own cost. Complainants must ensure they have accessed the internal processes first.

Complainants have a number of external complaint or appeal options including:

- a) Consumer Affairs Victoria / Consumer Protection WA
- b) Administrative Appeals Tribunal (<http://www.aat.gov.au>)

AMOSC will provide complete cooperation with the organisation investigating the complaint/appeal and will be bound by the recommendations arising out of this process. The General Manager will ensure that any recommendations made are implemented within 30 days of being notified of the recommendations.

### **Record keeping and confidentiality**

A written record of all complaints and appeals handled under this policy and procedure and their outcomes shall be maintained for a period of at least five (5) years to allow all parties to the complaint or appeal appropriate access to these records.

All records relating to complaints and appeals will be treated as confidential and will be covered by AMOSC's *Privacy Policy*.

## Non-limitation of policy

This policy does not replace or modify those or any other responsibilities which may arise under other policies or under statute or any other law. Nothing in this policy limits the rights of individuals to take action under Australia's Consumer Protection laws. Also, this policy does not circumscribe an individual's rights to pursue other legal remedies.

## This document is controlled

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