Complaints and Appeals Handling Policy and Procedure

This Complaints and Appeals Handling Policy and Procedure is used for all academic and non-academic complaints and can be accessed by all stakeholders.

1. Policy

Foundation Training Australia (FTA) is committed to developing and maintaining an effective, timely, fair and equitable complaints and appeals handling process, which is easily accessible. Our Complaints and Appeals Handling Policy and Procedure has been designed using the Principles of Natural Justice and Procedural Fairness.

We view any complaints as valuable feedback and aim to address this feedback with a solution-focused approach. FTA believes that every person has the right to be:

- Heard
- Understood
- Appreciated

Foundation Training Australia aims to:

- develop a culture that views complaints as an opportunity to improve the performance of the organisation.
- set in place a complaint handling system that is person-focused and helps FTA to prevent complaints from reoccurring.
- ensure that any complaints are resolved promptly, objectively, with sensitivity and in complete confidentiality.
- ensure that the views of each complainant and respondent are respected and that any party to the complaint is not discriminated against or victimised.
- ensure that there is a consistent response to complaints.

A complaint can be defined as an individual or business expression of dissatisfaction with any aspect of FTAs service and activities, including both academic and non-academic matters such as:

- the enrollment and induction process.
- the quality of education and training provided.
- academic issues, including student progress, assessment decisions, unit of competency selection and qualification or statement of attainment issuance.
- handling of personal information and access to personal records.
- the way someone has been treated.

2. Definitions

Foundation Training Australia (FTA) refers to the Registered Training Organisation Foundation Training Australia Pty Ltd t/a Foundation Training Australia.
Informal Complaint refers to a concern about academic matters, perceived discrimination, a situation, a process, a person or people, a facility or a support service provided by FTA, which the individual brings to the attention of FTA in an informal way, i.e. it is discussed, not written down.

Complaint refers to a formal complaint which may take place if an informal complaint cannot be resolved informally.

Complainant refers to the person(s) who formally instigates a complaint.
Respondent refers to the person(s) or institute against whom the complaint is lodged.
Formal Complaint refers to the formal lodging of a written complaint.

Appeal refers to the process if an individual is dissatisfied with a decision made by FTA; the individual has a right to have the decision reviewed. This includes decisions relating to complaint outcomes and assessment appeals.

Appellant refers to the person(s) who formally instigates an appeal.

Person refers to a student (trainee or apprentice), employer, parent/guardian, current or prospective customer, third party, contractor, employee or any other individual or representative of an organisation.

3. Policy Coverage

This policy is designed to cover all complainants including but not limited to:

- trainees and/or apprentices currently participating in Government Funded Programs - Career Start Program (Apprenticeship/Traineeship Pathway).
- students who are enrolled in Career Start Program (General Training Pathway) and Construction Skills Queensland (CSQ) Funding.
- students who are Fee for Service (FFS), including those students undertaking Recognition of Prior Learning (RPL) assessment.
- employers or supervisors of trainees, apprentices or students enrolled with FTA.
- parents/guardians of FTA's Trainees, apprentices or students under the age of 18 years.
- staff members and contractors employed by FTA and any Third Party that provides services in collaboration with FTA.

The complaints procedure will be made available to the complainant regardless of their location or where the complaint has arisen.

4. Informal complaint - Before an issue becomes a formal complaint

An Informal Complaint is encouraged, wherever possible, to resolve concerns informally with the person(s) concerned. Complainants may raise an informal complaint by contacting Foundation Training Australia in person or by calling 1300 990 064 and asking to speak to the respective Manager. Additionally, if a client submits a request or query via our website, or through our Learning Management System, a manager will make a phone call to the complainant to address the issue/s.

5. Procedure

This procedure can be accessed by complainants to submit a complaint of an academic or non-academic nature. Complaints of an academic nature may include issues relating to student progress, assessment decisions, unit of competency selection, qualification and statement of attainment issuance. Complaints of a non-academic nature may cover all other matters, including complaints in relation to the personal information that FTA retain in relation to an individual.
During all stages of this procedure, FTA will take steps to ensure that:

- the complainant and any respondent will not be victimised or discriminated against
- the complainant has an opportunity to fully present their case.
- the complainant is allowed a support person at any relevant meetings.
- the services provided to the student are not reduced or discontinued.
- all outcomes are recorded in the FTA's Complaints and Appeals Register and all related communication is archived in FTA Online under specific Business or Student profile in the Archives section.
- FTA will provide, in writing, any decisions or actions taken as part of the process to the complainant or respondent, if so requested.
- where the internal or external complaint handling or appeal process results in a decision that supports the complainant, FTA will immediately implement any decision and/or corrective action required and advise the complainant of the outcome.
- there is no cost to the complainant in using this complaint procedure

5.1. Stage one – Formal Complaint

Formal complaints are used when the issue cannot be amicably resolved at the informal level and the client wishes to escalate the issue. Formal Complaints must be submitted, in writing, to FTA with the details of the complaint use of the Notification of Formal Complaint to FTA Form.

This form should be sent to:
Georgie Waldren
Business Operations Manager
Foundation Training Australia
15 Wynnum Road
Norman Park QLD 4170
Or

emailed to: info@fta.edu.au Attention Georgie Waldren

Receipt of the complaint will be acknowledged in writing. The complaints handling process will commence within ten (10) working days of the receipt of the formal complaint and all reasonable measures will be taken to finalise the process as soon as practical.
The appropriate Manager will be responsible for handing the complaint. The Manager will seek to clarify the outcome that the complainant hopes to achieve. Such clarification may be sought by written request, verbal request by phone or face-to-face interview with the complainant. When such clarification occurs in a face-to-face interview, the complainant or respondent may ask another person to accompany them.

The Manager will endeavour to resolve the complaint and will provide a written report to the complainant on the steps being taken to address the complaint, including the reasons for the decision, within ten (10) working days. The report will further advise the complainant of their rights to access the Internal Appeals Process (as per section 5.2) if they are not satisfied with the outcome of their formal complaint. (NOTE: All decisions are based on the logical evidence obtained throughout the proceedings).

In the event that FTA cannot process your complaint within sixty (60) days, we will notify you of this and the reasons for this. FTA will keep you updated through the process via email.

5.2. Stage two – Internal Appeal Process

If a complainant is dissatisfied with the outcome of their formal complaint, they may wish to lodge an internal appeal, in writing. This should be submitted within 21 days from the date of the original decision from the formal complaint. The Business Operations Manager will appoint an appropriate person or panel to consult with the appellant and other relevant parties within ten (10) working days to obtain any further evidence or details, that may not have already been disclosed, to support the appeal. All meetings are to take place at the FTA's place of business, unless otherwise agreed.
Where possible, such consultation should take the form of face-to-face interviews. The appellant or respondent may ask another person to accompany them to these interviews.

Following the consultation, the Business Operations Manager, or their nominee, will provide a written report to the appellant advising the further steps taken to address the appeal, including reasons for the decision, within ten (10) working days (NOTE: All decisions are based on the logical evidence obtained throughout the proceedings). The report will further advise the appellant of their right to access the external appeals process if they are not satisfied with the outcomes of their internal appeal. In the event FTA cannot process your appeal within sixty (60) days, they will notify the appellant of this and the reason why and keep them updated through the process via email.

5.3. Stage three – External appeal

5.3a Report to Administrative Review Tribunal (ART)

If the appellant is dissatisfied with the outcome of their internal appeal, they may wish to lodge an external appeal. To further appeal the decision, you may lodge an external appeal with the Administrative Review Tribunal (ART). To lodge an application with the Administrative Review Tribunal, there is a fee to be paid. In certain circumstances, the fee may be reduced, however, there are terms and conditions that apply. For further information on how to lodge an appeal and associated costs, please contact the Administrative Review Tribunal. Their office hours are:

Monday to Friday 8.30am to 5.00pm.
The phone number is 1800 228 333.
(Calls are free from landline phones, however, calls from mobiles may be charged) or email complaints@art.gov.au

5.3b Report to ASQA

For students, with training related issues, that have not been resolved to their satisfaction, students can use this form to report a person or organisation in the vocational education and training sector involved in poor quality of training, services or business practices and suspicions of fraud, illegal activities or unethical behaviours
Make a Report to ASQA

5.3c Report to other Authorities

Please Note: If the complainant is not satisfied with the outcome of the complaint, they may choose to complain the matter to the Department of Trade, Employment and Training, the Queensland Training Ombudsman or a complaints agency.

6. What we do with the results of your complaint or appeal

If the issues that arose from the complaint are of a nature that can be used to improve our services, the details of the complaint will be brought to the Management meeting for discussion. The management group will determine the cause(s) of the issues and what steps can be taken or improvements made to ensure it does not happen in the future. This will be recorded in minutes of the meeting. FTA will immediately implement any decision and/or corrective action required.

Additionally, FTA maintains a register detailing all complaints and outcomes. The purpose of this is to regularly review the register to see if there are any common issues and then use this information to improve our services. All areas of improvements are logged in the Continuous Improvement Register (RTOSafe) as a continuous improvement item and progress is tracked until changes to policies and processes are implemented.

7. Record keeping and confidentiality

All completed reports and correspondence handled under this procedure and the related outcomes will be stored in the student's file or business profile in FTA Online under the Archives section.

FTA will retain digital records relating to the complaints handling for a minimum of seven (7) years. All paper-based records will be securely destroyed as per the Records Management Policy and Procedure.

All records relating to the complaint will be treated as confidential, along with all other student records. FTA complies with the *Privacy Act 1988* and *Privacy Act 2009 (QLD)* and students may apply for and receive a copy of the personal information held by FTA that relates to this procedure.

8. Approval, publication and training

This Policy and Procedure is made available to individuals, students, prospective students and other stakeholders through information in our Learner Handbook and on the FTA's website: https://www.fta.edu.au