



Complaints Policy and Procedure

Purpose

Monash Student Association Training and Professional Development (MSATPD) is committed to providing a work and study environment that is safe, fair and free from discrimination.

We have a responsibility under State and Federal legislation to ensure staff and students are not subjected to behaviour that may constitute unlawful discrimination, harassment, or victimisation.

An essential part of developing that environment is ensuring that staff and students are encouraged to come forward with their complaints in the knowledge that the responsible staff member will take prompt and effective action to address complaints.

Complaints and appeals that are not addressed have the potential to grow into major problems that can cause tension, low morale and reduced learning and academic achievement. Unresolved or poorly handled complaints can also lead to legal action against Monash Student Association.

This document aims to:

- put in place an open and transparent complaint handling system
- specify the key performance indicators to which we will hold ourselves accountable
- establish our timeframes for resolving complaints
- clarify the roles and responsibilities of our staff
- ensure staff handle complaints fairly and objectively
- set out how staff record and analyse complaint data to identify where we can improve our services

Scope

This Policy and Procedure applies to all complaints and appeals relating to Monash Student Association Training and Professional Development, with the exception of academic appeals (which are addressed through the Assessment Policy). It applies to the complaints and appeals of staff members, trainers and enrolled students. The complaint may be against another student, trainer/assessor and/or staff member/s. In certain circumstances, this policy may be used to deal with a complaint against a person who is not an employee or student, but who is involved in a training related activity.

Definitions

Complaint - an expression of dissatisfaction made to an organisation, related to its products, services, decisions or actions and where a response or resolution is explicitly or implicitly expected.

Complainant - the individual person or persons lodging the complaint.

Respondent - the individual person or persons against whom the complaint is made

Appeal – the application to a higher authority to have an outcome or decision overturned

Academic Appeal – an appeal requesting an assessment outcome be reviewed or overturned.

NOTE: all such academic appeals are to be dealt with through the Assessment Policy.

Policy Principles

- MSATPD recognises people’s right to complain.
- MSATPD is committed to resolving complaints and considers complaint handling to be part of its core business of serving the community and improving service delivery.
- Information about how to make a complaint is readily available and MSATPD actively assists people with the complaint handling process.
- Our processes are accessible by people with a range of needs, are understood by young people and their families and are culturally safe.
- The complaint handling system clearly sets out how to complain, where to complain, and how the complaint will be handled. The steps taken to respond to a complaint are recorded and will stand up to scrutiny.
- Under the complaint handling system, complainants and MSATPD staff are treated with respect and courtesy, and complaints are assessed on merit and fact.
- The complaint handling system protects the personal information of people making a complaint, and MSATPD staff are informed only on a ‘need to know’ basis and otherwise in accordance with MSA’s Privacy Policy and relevant privacy legislation. Complaint data is de-identified if reported on more widely.
- Complaints made by people who wish to remain anonymous will be handled to the extent that it is possible to do so without further contact with the complainant.
- MSATPD is accountable, both internally and externally, for our decision making and complaint handling performance. MSATPD provides explanations and reasons for decisions, and ensures that its decisions are subject to appropriate review processes.
- MSATPD regularly analyses complaint data to find and implement ways to improve how it operates and how it delivers its services.
- In instances of complaints made against a student, this policy may be used in conjunction with the Student Code of Behaviour.
- Students will not be disadvantaged by making a complaint and it will not negatively impact the outcome of any submitted assessments.

Roles and Responsibilities

All staff - to be familiar, and act in accordance with, this policy and procedure, and to refer complainants to this document.

Student Services Officer - to receive the complaint, assess it, resolve if possible, or to refer it to the RTO Director for action.

RTO Director - to investigate and resolve complaints.

Executive Officer - to investigate and resolve appeals.

Actions

If a person deems they have grounds for complaint/appeal, or a conflict arises from actions, decisions or omissions by MSATPD's management or staff, then this needs to be brought to the attention of the Student Services Officer. For those who wish to make an anonymous complaint, the information regarding how to make a complaint is clearly listed on the website under the FAQ's page

Complaints/appeals that arise from actions, decisions or omissions under the control of MSATPD will be discussed with the complainant and either immediate remedial action, or, where required, mediation between the parties involved will be arranged. Where a criminal offence has been committed, or is suspected, the appropriate law enforcement agency will be informed.

The following procedure applies to all complaints and appeals:

- Notification of the process for complaints and appeals will be issued to all staff members and students with initial information / induction.
- All staff will, in the course of their duties, notify and refer any complainant to this procedure.
- Complaints are to be submitted in writing to the Student Services Officer using the Complaints Form available at www.msatraining.edu.au.
- Resolution of complaints is to then follow a five step process:
 1. Frontline resolution: the Student Service Officer (or other frontline staff) receive the complaint, assess it, and resolve it immediately if possible.
 2. Investigation if required: if frontline staff cannot resolve the complaint, they will refer it to the RTO Director for investigation.
 3. Determination of outcome: the RTO Director will determine an outcome and advise the complainant accordingly.
 4. Internal review: if the complainant is dissatisfied with the outcome or handling of their complaint, they can make an appeal for an internal review.
 5. External review: if the complainant is dissatisfied with the outcome or handling of their appeal, we inform them of any available external review options.

Frontline Resolution

- The Student Services Officer (or other frontline staff as applicable) will notify the complainant in writing of the receipt of their complaint within 7 days. The notification may also request further information from the complainant, seek to clarify the complaint or clarify the outcome the complainant is seeking.
- The Student Services Officer will assess the complaint to determine how it should be dealt with, and whether it can be resolved by them directly, or needs to be referred to the RTO Director for investigation.

-
- If MSATPD is not the right organisation to respond to the complaint, the Student Services Officer will advise the complainant of an organisation that may be able to assist.
 - The complainant will be regularly updated on the progress of their complaint.
 - The Student Services Officer will then advise the complainant of the decision and reasons for the decision in writing within 14 days.
 - Where a complainant is not satisfied by a decision, or handling of the complaint by the Student Services Officer, they have the right to appeal in writing to the RTO Director, Rebecca Redfern, via email at rebecca.redfern@monash.edu.

Investigation

- If frontline staff cannot resolve the complaint, it will be referred to the RTO Director for investigation.
- The RTO Director will aim to resolve all complaints within 28 days.
 - Should a complaint require more than 28 days to resolve, the complainant will be notified by email, including the reasoning for the delay
- The RTO Director is to thoroughly investigate the complaint, seeking information from other parties where relevant and referring to appropriate records and documentation. The complainant may also be contacted for further information.
- The RTO Director will then advise the complainant of the decision and reasons for the decision in writing within 28 days. Where appropriate, the RTO Director may contact the complainant to discuss the outcome prior to sending the written notification.

Internal Review (Appeal)

- If the complainant is dissatisfied with the outcome or handling of their complaint by the RTO Director, they may make an appeal to the MSA Executive Officer, Lowan Sist via email at lowan.sist@monash.edu.
- The Executive Officer is to review the appeal, investigate as appropriate and notify the complainant of an outcome in writing within 28 days.

External Review

- If the complainant is dissatisfied with the outcome or handling of their appeal, they are to be informed of any available external review options.
- In most instances this will include referral to ASQA's website www.asqa.gov.au or the National Training Complaints Hotline ph. 13 38 73 or online at <https://www.dewr.gov.au/national-training-complaints-hotline/national-training-and-complaints-hotline-complaints-form>

Recording Complaints

All correspondence of issues will be kept as a Note on Jobready under the category "Complaint". All such Notes comprise the Complaints Register.

- Where an issue arises due to a non-conformance, or any complaint is found to be substantiated, this will be recorded and corrective action taken and documented in Jobready as a Note.
- The Note should be created on Jobready by the staff member who receives the complaint. Any other staff assisting in the resolution of the complaint should add to the Note accordingly.

-
- Verbal complaints may also be recorded on Jobready as part of the Complaints Registry where the staff member receiving the complaint feels it is appropriate to do so, or at the direction of the RTO Director.
 - Complaints received via a third party should be added as a Note in Jobready.
 - The complaints register is to be monitored by the Academic Advisory Board to identify opportunities for continuous improvement.

Privacy

When gathering information to respond to a complaint, we will only:

- use it to deal with the complaint or to address systemic issues arising from, or identified by, the complaint.
- disclose it in a de-identified format when disclosing data to the public.
- share it with staff on a need to know basis.

Complaint completion checklist

- Removal of contact details from mailing list if required.
- Archiving documentation in appropriate files on Jobready.
- Where possible, improvements have been implemented based on complaints.
- Improvements have been recorded on the Continuous Improvement Log.

Review date

1 November 2024