

Complaints and Appeals Policy



<i>This policy relates to the following guidelines:</i>	Privacy Act 1988 Privacy Amendment (Enhancing Privacy Protection) Act 2012 Australian Privacy Principles Australian Skills Quality Authority Standards Group Training Organisations National Standards National Code of Practice for Providers of Education and Training to Overseas Students 2018
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Purpose

To outline the process to be followed by GTNT Training employees in managing and responding to complaints, grievances or appeals from individuals and organisations who have dealings with GTNT Training.

GTNT Training will manage and respond to allegations against the organisation, its staff, third parties providing services on its behalf and its students in a professional and timely manner within the principles of natural justice and procedural fairness.

The Complaints and Appeals Policy will comply with:

- Standard 3.8 of the National Standards for Group Training Organisations
- Australian Skills Quality Authority Standards for Registered Training Organisations (RTO) 2015 (Standard 6 – Clause 6.1 – 6.6)
- Standard 10 of the ESOS National Code

Scope

This policy applies to all individuals or organisations receiving services from GTNT Group, including apprentices and trainees hosted external to GTNT, students (domestic and international) of GTNT Group, businesses hosting GTNT Group's apprentices and trainees and other stakeholders that may be receiving a service from GTNT Group.

A complaint or appeal can be defined as a person's expression of dissatisfaction with any aspect of our services and activities, including both academic and non-academic matters, such as: What is a complaint?

GTNT Group responds to all allegations involving the conduct of:

- GTNT Training, its trainers, assessors and other staff.
- Any third-party providing Services on behalf of GTNT Training and including education agents.
- Any student or client of GTNT Training.

Complaints may be made in relation to any of GTNT's services and activities such as:

- the application and enrolment process
- marketing information
- the quality of training/teaching and assessment provided
- training/teaching and assessment matters, including student progress, student support and assessment requirements
- the way someone has been treated
- the actions of another student

A complaint may be received by GTNT Group 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 but are generally made by students and/or employers.

Definitions

Appeal – is a process for requesting a review of an official decision made or an appeal against a decision made about an assessment outcome, a failure to meet a satisfactory academic progress, and/or the quality of course delivery.

Complainant/Appellant – refers to the person who has lodged a complaint or appeal.

Complaint – is a formal expression of dissatisfaction about an action, a proposed action, or failure to act in a proper, responsible and timely manner. This includes failure by GTNT Training to observe published policies, practice, and procedures.

Independent decision maker – is the person investigating the complaint or appeal who is not directly related to the matter. This person will either be the Manager of the business unit, Human Resources Manager or Chief Executive Officer.

Parties – refers to a complainant and a respondent.

Principles of Natural Justice - General procedural fairness in the handling of a grievance that involves all of the following elements:

- the right to a fair hearing.
- the right to attend hearings with a friend or support person, if required.
- the opportunity for all parties involved to be heard.
- the complainant not determining the outcome but may be a party to it.
- the right to a decision maker who is independent of the decision being reviewed.
- a final decision that is based solely on the relevant evidence.
- the right to an independent third party to review the complaint or appeal.

Respondent – the person, department or organisation to whom the complaint or appeal is lodged.

Objective

The Complaints and Appeals Policy is to ensure fairness applies to complaints and appeals management within GTNT Training which includes:

- All parties have the right to be heard and all evidence will be considered
- Matters that are not relevant to the complaint or appeal will not be considered
- Allegations that are deemed by GTNT Training to be frivolous or vexatious will not be considered.
- The decision maker will not be biased and will be independent to the complaint received.

The complaints and appeals handling process will ensure that:

- The complainant will have access to a process for resolving complaints
- All formal complaints will be recorded on the complaints and appeals register
- Complainants shall not be victimised as a result of making a complaint or appealing a decision
- Complaints and appeals will be dealt with in a timely manner, with the intent of finalising as soon as possible and will be regularly updated on the progress of the matter.
- Complainants shall have the right to access external complaints and appeals processes in circumstances where internal complaints or appeals were not dealt with satisfactorily.
- Complainants and appellants will be advised of the outcome and decision in writing.

GTNT Training views feedback provided about its services as an opportunity to improve or clarify services being delivered.

The systematic collection and classification of information is an opportunity for business improvement and implement corrective action where appropriate to eliminate or mitigate the likelihood of reoccurrence. Complaints lodged in writing via the complaints and appeals form will be registered on the complaints and appeals register.

Complaints and Appeals Policy



Internal processes are in place within GTNT Training to assist with the implementation of this policy and to provide guidance for all parties on their roles and responsibilities throughout the complaints and appeals process. Where a party advises GTNT Training of their intent to lodge a formal complaint or appeal, GTNT Training will attempt to resolve the matter in the first instance via discussion, negotiation and agreement

Formal Complaints or Appeals

When an identified issue cannot be resolved through negotiation or discussion a formal complaint or appeal may be lodged. Complaints and appeals are to be lodged using the *Complaints and Appeals Form* within 30 days of the related event occurring and lodged through feedback@gtntgroup.com.au.

Guidelines for Formal Complaints

Complainants must submit their written complaint or appeal to feedback@gtntgroup.com.au on the *Complaints and Appeals Form* available at www.gtntgroup.com.au within 30 days of the related event occurring. GTNT Training will provide written acknowledgement within 2 business days of receipt of a completed *Complaints and Appeals Form*.

GTNT Training intend to finalise complaints or appeals within 10 business days. Where it is identified the matter cannot be finalised within 10 days the parties to the complaint or appeal will be notified.

Where GTNT Training determine that it will require more than 30 calendar days to finalise a complaint or appeal, the Complainant or Appellant will be notified in writing, advising the reasons why more than 30 days is required and will be provided regular updates and progress.

All complaints will be treated confidentially and sensitively however the details of the complaint may be provided to the person (if complaint relates to an employee or student) or other relevant parties for investigation purposes.

The information provided will be treated confidentially and will not be disclosed to a third-party other than for the purpose of managing the complaint or to comply with law. For information about how GTNT Training protects your personal information, please refer to GTNT's Privacy Policy.

If the Complainant or Appellant is dissatisfied with the outcome of the complaint or appeal the matter may be escalated to the RTO manager of GTNT Training within 10 business days of the outcome being advised in writing. The RTO manager or their nominated Delegate will review the decision and will either confirm the decision or make a new decision and advise the Complainant or Appellant of their decision with 5 business days.

A Delegate of the RTO manager is to be independent of the initial investigation and decision. Should a Complainant or Appellant not be satisfied with the decision following escalation they may refer the matter to an independent third-party. Should there be any costs involved in engaging with the third-party, the Complainant or Appellant are responsible for those costs.

Suggested independent third-party providers:

Registered Training Organisation related complaints and appeals – Australian Skills Quality Authority
<https://www.asqa.gov.au/complaints/complaints.html>

Breach of privacy related complaints – Office of the Australian Information Commissioner (OAIC)
The OAIC complaints process requires individuals to complain directly to the organisation, if a response is not provided within 30 days or you are dissatisfied with the response complaints can be lodged below:
https://forms.business.gov.au/smartforms/landing.htm?formCode=APC_PC

The Overseas Student Ombudsman (OSO)

- Where an international student complaint is unable to be resolved, the matter may be referred to the Overseas Students Ombudsman.
- The Overseas Students Ombudsman is the body that investigates complaints about problems that overseas students have with private education and training in Australia. The Ombudsman's services are free, independent and impartial.

The Overseas Students Ombudsman:

- investigates complaints about problems that overseas students have with private education and training in Australia
- provides information about best practice complaints handling to help private education providers manage internal complaints effectively
- considers, free of charge, external appeals under Standard 10 of the National Code.
- The Overseas Students Ombudsman may not be able to investigate your complaint if you have not already exhausted our formal internal complaints process as above.
- Please refer to the following website if you are considering making a complaint:
<https://www.ombudsman.gov.au/making-a-complaint/overseas-students#quality-of-education-%20provider>

The complaints and appeals processes, does not remove the right of the student to take action under Australia's consumer protection laws