
COMPLAINTS POLICY AND PROCEDURE

A. POLICY

Amy Boleszny Pty Ltd T/A Healthy Business Training Academy (referred to below as 'HBTA' or 'The Academy') endeavours to deal with Complaints as soon as they emerge. All complaints are to be treated fairly and equitably, with the viewpoints of all parties being heard before a decision is reached. In this way, all parties attain a sense of natural justice through the timely respect given to their respective cases.

The complainant has the right to independent representation or witness during any meeting, discussion or tribunal and will be referred to external sources of support as required.

All students shall also reserve the right to make a complaint to the **relevant training authority** if their issue cannot be resolved by internal negotiations.

The processes relating to the assessment of competency and recording of results are subject to an appeals process and any complaint about assessment results will be conducted according to *STU-POL-006 Appeals* policy.

Where a resolution cannot be reached at each level of negotiation, HBTA is committed to support the complainant in receiving a fair and just hearing by offering them a referral to an external mediator, should this be required.

HBTA fully supports the right of the individual to make any just appeal to appropriate authorities, within and external to, the Academy. No complainant shall be penalised, or otherwise discriminated against, because they are exercising this right.

Complaints may be made to the <https://www.employment.gov.au/national-training-complaints-hotline> or to ASQA. ASQA only accepts complaints if they have previously been made to the RTO and not satisfactorily resolved. All complaints that have not been made first to the RTO are forwarded to the RTO for action.

B. PRINCIPLES

Resolution of complaints at the earliest stage avoids further disruption and the need for the issue to be formalised and be processed by legislative channels.

In all cases, the initial focus should always be to resolve the difficulties directly between the complainant and the other parties, since this is in the best interest of promoting harmonious interpersonal relationships.

Where this is not possible, mediation by an impartial third party (internal and/or external) will always be offered. This shall be done with the intent of providing low-cost, equitable solutions for the complainant or appellant.

Healthy Business Training Academy has appointed Phoenix Compliance Management as the independent panel to review all unresolved complaints.

Their details are:

Contact:	Chris Stephens, Director,
Company:	Phoenix Compliance Management.
Tel:	(02) 9499 4300,
Fax:	(02) 9499 4322
Mobile:	0414 882 234
Email:	info@phoenixcompliance.com.au

C. PROCEDURES UNDER THIS POLICY

1. Upon receipt of a written complaint, the Academy shall immediately review the circumstances and issues related to that complaint. Appropriate action shall be taken in response, which may include but is not limited to: immediate rectification of physical resources; provision of alternative staff members; further investigation of the issue/s and/or circumstance/s referred to in the complaint
2. The Client will discuss the issue of concern with the course trainer who will endeavour to resolve the issue to the reasonable satisfaction of the Client and the Academy. If the matter is resolved at this point, the client receives a written statement describing the outcome and reasons for any decision/s made.
3. If the appeal is not resolved at this point, the matter shall immediately be referred to the Director of Studies. Should the issue directly involve this staff member, the Chief Executive Officer or a Managing Director shall review and/or mediate the complaint. If the matter is resolved at this point, the client receives a written statement describing the outcome and reasons for any decision/s made.
4. After review, the mediator will discuss the issue with the Client seeking a resolution. If this is not possible, the Client will be informed of the next stage of the procedure which is as set out in QLD vocational education and training legislation and regulations. If the matter is resolved at this point, the client receives a written statement describing the outcome and reasons for any decision/s made.
5. If the resolution of the complaint or grievance is not able to be resolved within the Academy, the Client shall be advised of their right to take their case before external resolution agencies which may include:
 - Office of Fair Trading
 - Department of Employment and Training
 - Australian Skills Quality Authority (ASQA)
 - Magistrate's Court, where the process of common law shall apply

Recording Procedure

- A. The Course Trainer or staff member receiving the complaint is required to prepare a written record as follows:
 - Name of Client and nature of grievance.
 - Date of discussion, issues raised and outcome/s
- B. The Director of Studies is required to prepare a written record as follows:
 - Date of receipt of report from the trainer or staff member.
 - Collection of any data relevant to the issue.
 - Date of discussion with the Client, issues raised and outcome.
 - If no resolution, record advice given to Client.
 - Completion of any necessary forms or records for referral to other agencies.
- C. The Client shall be notified in writing of the outcomes of the grievance resolution process by the Director. This notification shall include copies of any reports, correspondence or judgments made by third parties.
- D. These records will be retained on the Clients' file until completion of the course and an external audit process is completed.
- E. A ***Register of Complaints*** and their outcomes shall also be established and maintained by the relevant Studies Coordinator (Business, Health or Training and Assessment). This shall be reviewed with the Director of Studies every six months and recommendations made for preventing the recurrence of incidents which could lead to a complaint.

D. COMPLAINANT RIGHTS UNDER THIS POLICY

Upon making a complaint, the student must be advised that their complaint must be made in writing to the Training Manager or CEO.

The complaint is then entered into and every effort is made to find a satisfactory solution for all parties.

Gathering evidence to support the student complaint may see this matter referred to a trainer or assessor, who has equal rights to natural justice.

The student may be asked for permission to gather evidence from their training cohort or other third parties who witnessed the incidents.

No information will be give to or sought from any other third party, including employers, without the written consent of the student.

In the interest of natural justice, the student may choose to be supported by an independent advisor.

All complaints may be made without fear of reprisal or prejudice against the individual or those that support them.

Where the matter cannot be resolved by negotiations, the student has the right to obtain external mediation.

Where the time period exceeds 30 days, the student must be kept apprised of the reasons for an extended timeline.

The student must be informed in writing as to the finalisation of their complaint and the actions arising from this.

E. RELATED POLICIES

STU-POL-002	Refund policy	PPM-004
STU-POL-003	Access and equity	PPM-004
STU-POL-004	Anti-discrimination	PPM--004
STU-POL-008	Client access to personal files	PPM-004
STU-POL-009	Sexual harassment	PPM-004
STU-POL-010	Disciplinary actions	PPM-004

F. RELATED INTERNAL DOCUMENTS

MAN-STU-001	Student manual	PPM-004
MAN-BUS-001	Trainer manual	PPM-002

G. RELATED EXTERNAL DOCUMENTS

Standards for Registered Training Organisations, 2015	Drop Box
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