

Complaints and Appeals Policy and Procedure

Purpose

This policy and procedure is to provide clear and practical guidelines to ensure that complaints and appeals of learners can be resolved in accordance with the principles of natural justice, equitably and efficiently.

Scope

This complaints and appeals policy applies to all learners enrolled with HARNESS.

Definitions

Complaints and Appeals include but are not restricted to matters of concern to a learner relating to training delivery and assessment; the quality of the training; learner support and materials; discrimination; and sexual harassment.

Natural Justice is concerned with ensuring procedural fairness:

- Decisions and processes should be free from bias.
- All parties have the right to be heard.
- The respondent has a right to know of what he/she is accused.
- All parties are told the decision and the reasons for the decision.

Policy

HARNESS believes that a learner, who has a complaint or appeal, has the right to raise the complaint or appeal and expect that every effort will be made to resolve it in accordance with this policy, without prejudice or fear of reprisal or victimisation.

The learner has the right to present the complaint or appeal formally and in writing.

HARNESS will manage all complaints and appeals fairly, equitably and efficiently as possible. HARNESS will encourage the parties to approach the complaint or appeal with an open mind and to resolve problems through discussion and conciliation. Where a complaint or appeal cannot be resolved through discussion and conciliation, HARNESS acknowledges the need for an appropriate external and independent person to mediate between the parties. The parties will be given the opportunity to formally present their case to the independent person.

Confidentiality will be maintained throughout the process of making and resolving complaints. HARNESS seeks to protect the rights and privacy of all involved and to facilitate the return to a comfortable and productive learning environment.

A copy of this Policy is available to all learners and staff via the HARNESS website (www.harnessenergy.com.au/terms-conditions/) and is also mentioned in the Learner Handbook. The information will also contain details of external authorities that they may approach.

Procedure

Should a learner have a complaint or appeal, the following steps are to be followed:

1. Learner should discuss the issue / complaint with the person involved to try and resolve it verbally.
2. If no resolution is reached, the learner should discuss the issue / complaint with his / her trainer to see if it can be resolved.
3. If still no resolution the trainer is to provide the learner a copy of the Complaints and Appeals Form. The following details should be filled out:
 - description of the complaint or appeal
 - state whether they wish to formally present their case
 - steps taken to deal with the complaint or appeal
 - what they would like to happen to fix the problem and prevent it from happening again.
4. If the complaint or appeal is not dealt with to the learner's satisfaction, he/she may bring it to the attention of the Operations Manager. The Operations Manager will either deal with the issue personally or arrange for it to be dealt with by a management representative. This process must commence within 48 hours from the time the Operations Manager receives written notification from the learner about their dissatisfaction to the response received from their trainer and a response / resolution must be presented within 30 days.
5. Should the issue still not be resolved to the learner's satisfaction, the Operations Manager will make arrangements for an independent third party to resolve the issue and outline any costs that may be involved with this to the learner. The learner will be given the opportunity to formally present his /her case. The time frame for this process may vary but should take no longer than 14 days.
6. All parties involved will receive a written statement of the outcomes, including reasons for the decision within the 14 day period. If the process is taking longer than 60 days from the complaint or appeal

being received the learner will be notified in writing of the reason for the delay and kept informed about all progress.

7. If the learner is still not happy with external mediation, he / she may take his / her complaint to the VET Regulator.
8. All documentation relating to complaints or appeals should be archived for audit purposes.

The HARNESS Compliance Manager will be the person responsible for the implementation and maintenance of the policy.