

# Complaints and Appeals Policy



## Definitions

- Complainant: The person making the complaint
- Appellant: The person making the appeal
- CEO: Chief Executive Officer
- Third Party: A company which may be providing marketing, training, assessment or other services on behalf of Aakira

## Overview

Aakira is committed to maintaining an effective, timely, fair and equitable complaints and appeals handling system, which is easily accessible. We do this by:

- Having a culture that views complaints as an opportunity to improve our organisation and how it works
- Having a complaints handling system that is client focused
- Ensuring that complaints are resolved promptly, objectively and with sensitivity and in complete confidentiality
- Ensuring that the views of each complainant and respondent are respected and that any party to a complaint is not discriminated against nor victimized
- Ensuring there is a consistent response to complaints.

A complaint can be about any aspect of our business. This includes academic and non-academic matters.

## The policy covers:

- General complaints made by learners
- General complaints made by employers
- Any stakeholder with a demonstrated interest in the businesses conducted by the RTO
- Complaints made about a learner
- Complaints made against a Third Party which may be providing marketing, training, assessment or other services on behalf of Clear to Work
- Learner appeals to review or reconsider a decision it has made (e.g. an assessment decision).

## Who can log a complaint with Aakira?

A complaint may be logged by:

- Students;
- Trainers and Assessors;
- General Team Members (office based team members);
- Workplace Mentors, Supervisors and Coaches;
- Other facility staff involved in the students Training Plan;
- A representative of the Australian Quality Skills Authority
- A person who has had a dealing with Aakira students, trainers and assessors, general team members or Workplace Mentors, Supervisors and Coaches

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- Anyone that has dealing with Aakira can be lodged by:
  - a. In Person: 99 Cook St, Port Melbourne VIC 3207 (prior notification of you coming to discuss the complaint is appreciated)
  - b. Phone: 1300 355 900 and speak to any Aakira Team Member (you may after initial contact be redirected to another Aakira Team Member. Where the appropriate team member is not available, you will be contacted within 3 hours)
  - c. Email: admin@trainingahead.com.au. You will be contacted via telephone from a Aakira Team Member within 72 hours of your complaint being raised.

The complainant (person raising the complaint) does not need to formally document the complaint, as Aakira has processes in place to take care of this for the complainant (via telephone and in person).

Where the complainant lodges a complaint via email, please be as descriptive as possible.

## When can I raise a complaint?

Complaints received 14 working days after the event may not be considered or reviewed.

## How is a complaint different to a concern?

Aakira's complaint process is a formal process in which Aakira must respond to the complainant. The complaint process also leads to Aakira's appeals process.

A concern is something that is of interest, importance or connected to one or more of the above people, that they feel could be improved, as it is affecting their or others satisfaction with their involvement with Aakira. A concern is when a person is dissatisfied, but not to the extent of discontent or dissatisfaction that they want to raise a complaint. When this person or persons raise a concern, they want to raise the concern in an informal way, not through the complaints process or continuous improvement process.

In summary, a 'concern' is an issue of interest (because of its importance and effect), which is raised informally in order to improve or change a situation.

## What is an appeal?

An appeal is an application by the complainant for reconsideration of an unfavourable decision or finding of the complaints process.

An appeal must be made in writing and specify the particulars of the decision or finding in dispute. Appeals must be lodged within 14 working days of the student being made aware of the decision or finding of the complaint.

Aakira may not consider appeals received after 14 working days of the notification of the outcome of the complaint.

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## Aakira's commitment to early resolution of complaints and appeals

In all cases, issues that arise during dealings with Aakira that are the source of frustration or are in dispute should be resolved at the time they occur between the persons involved. Aakira does understand that in some situations this is not achievable.

## Relationship to continuous improvement

Complaints and appeals may expose weaknesses in Aakira's business operation. As part of a review of a complaint or appeal, the CEO in reviewing the outcome will log any opportunities for improvement identified in the Continuous Improvement Register. The items logged will then be actioned by the Continuous Improvement fortnightly meeting.

## What is the quickest way to have a complaint raised?

In Aakira's experience, the quickest way to raise a complaint is to deal with it as it happens. If you feel comfortable, speak to the person that has made you feel like lodging a complaint to see if the matter can be resolved. Where the matter cannot be resolved or you feel uncomfortable to raise the matter (which is fine!), you can consider:

- Raising a complaint (see below)
- Raising a concern

## How will a complaint be handled?

The following is a summary of Procedure - Complaints & Appeals Procedure:

1. The complainant will raise their complaint with Aakira, within 14 working days of the event occurring that lead to the complaint:
  - In Person: 99 Cook St, Port Melbourne, VIC (prior notification of the complainants decision to come in to discuss the complaint is appreciated)
  - Phone: 1300 355 900 and speak to any Aakira Team Member (the complainant may after initial contact be redirected to another Aakira Team Member. Where the appropriate team member may not be available, the complainant will be contacted within 24 hours)
  - Email: admin@trainingahead.com.au. The complainant will be contacted via telephone from a Aakira Team Member within 24 hours of your concern being raised.
2. The Aakira team member will document the complaint by recording the details. The Aakira team member will also direct the complainant to support services that are available to support them - these include the Aakira Support Officer or the services listed in this policy.
4. The complainant will receive a formal response acknowledging the complaint within three working days of the complaint being received by Aakira. This will be sent to the complainant via email and may involve a phone call or a request to meet so more information can be sought.

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5. The CEO has 10 working days in which to investigate the complaint. No later than the 10<sup>th</sup> working day, the complainant will receive notification of the resolution of their complaint and the justification for the decision. This will be in the form of a phone call, followed up by an email summarising the outcome of the complaint (where the complainant cannot be contacted, an email will be sent).

- a. During the investigation the CEO may contact others involved and will ensure that:
  - i. The others are aware of their right to bring a support person to any meetings
  - ii. Their rights and responsibilities in regards to the complaint
  - iii. Support available to them whilst the complaint is being investigated
  - iv. Ensure that accurate records are maintained

As part of the outcome of the complaint, the CEO may log aspects of the complaint as Continuous Improvement. The complainant can request to be notified as the Continuous Improvement progresses and gets implemented into Aakira.

## I am dissatisfied with the outcome of my complaint. How can I appeal the decision?

If you are dissatisfied with the outcome of the appeals process, the appellant can write to the Australia Skills Quality Authority (ASQA) and lodge a complaint. The appellant needs to make their complaint to either:

Online: <https://rms.asqa.gov.au/registration/newcomplaint.aspx>  
 Phone: 1300 701 801

The appellant can also seek legal advice. The appellant may choose to contact his or her own legal advice or contact:

### Legal Aid Victoria

Website: <http://www.legalaid.vic.gov.au/>  
 Phone: 1300 792 38

Offices are located across Victoria. Contact legal aid or visit their website for more information.

### Legal Institute of Victoria

Website: <http://www.liv.asn.au/>  
 Phone: (03) 9607 9311  
 Address: 470 Bourke Street, Melbourne, Victoria 3000

## Support available throughout the process of lodging a complaint, appeal or taking further action

The following options are available to support you when you lodge a complaint, appeal or taking further action:

- Utilise your support network - At any meeting or discussion with Aakira or the Aakira Review

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Committee, when lodging a complaint or appeal, you can request a change of time to ensure you can bring someone from your support network to support you.

- Utilise Aakira's Support Officer - The Support Officer can attend meetings or be part of discussions to support you. The Support Officer can also refer you to additional support services. For further details, refer to the Support Officer Section of the Student Handbook or request a copy of the policy and procedure.
- To contact the Aakira Support Officer:
  - o In Person: Appointment arranged at a time mutually convenient to the Support Officer and the person
  - o Phone (1300 55 900). Support will be available between the time of the call or within 3 hours of the call.
  - o Phone (0420 430 939 - emergencies). Immediate support will be available.
  - o Email - Contact will be made within 48 hours
- Appoint an advocate - You may choose to appoint an advocate to handle your complaint or appeal. When making your complaint or appeal, you need to state this. Remember, it is generally easier to resolve complaints and appeals if Aakira deals with you directly.
- Contact the below for further legal advice, and representation throughout the complaint or appeals process:

## Legal Aid Victoria

Website: <http://www.legalaid.vic.gov.au/>

Phone: 1300 792 38

Offices are located across Victoria. Contact legal aid or visit their website for more information.

## Legal Institute of Victoria

Website: <http://www.liv.asn.au/>

Phone: (03) 9607 9311

Address: 470 Bourke Street, Melbourne, Victoria 3000

## Other information about the handling of complaints and appeals

- A written record of all complaints and appeals is to be kept by Aakira including all details of lodgement, response and resolution.
- An opportunity to complain or lodge an appeal is to be provided at no cost to the person lodging the complaint or appeal (with the exception of where the person seeks external legal advice - they are responsible for their own costs).
- Each complainant or person lodging an appeal may be accompanied and/or assisted by a support person at any relevant meeting.
- The complainant or person lodging an appeal will be provided a written statement of the outcome, including details of the reasons for the outcome.
- Aakira shall maintain the enrolment of the complainant or person lodging an appeal during the complaint or appeals process.
- Decisions or outcomes of the complaint or appeals process that find in the favour of the

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student shall be implemented immediately.

- Complaints and appeals are to be handled in the strictest of confidence. No Aakira representative is to disclose information to any person without the permission of Aakira Chief Executive Officer. A decision to release information to third parties can only to be made after the complainant has given permission for this to occur. This permission should be given using the Information Release Form located in the Privacy Policy Tools section earlier in this manual.
- Complaints and appeals are to be considered on the basis of procedural fairness and lead to opportunities for improvement as a Continuous Improvement Report.

Aakira considers that it would be extremely unlikely that complaints and appeals are not able to be resolved quickly within Aakira is internal structures.

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