

RTO	Builders Academy Australia (RTO ID 21583)
Type	Public
Applicable standards	Standards for Registered Training Organisations 2015 State and Territory Funding Contracts VET Student Loans Act 2016
Authorised by	General Manager Quality and Compliance
Version	2.2 - Reviewed 04 January 2021

## Policy: Grievances, Complaints and Appeals

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### Overview

#### Definitions

For the purposes of this document the following applies:

**The Act** refers to the *Higher Education Support Act 2003*

**Student/s** refers to all persons enrolled in a VET course including those that are enrolled in a VET unit of study that meets the course requirements under the Higher Education Support Act 2003 and who are or would be entitled to VET Student Loans assistance under this Act.

**Complainant** refers to Students who are lodging a complaint with Builders Academy Australia (BAA).

**Academic Matters** include those matters, which relate to student progress, assessment, course content, training environment or awards in a VET course of study. For example: Learners may have decisions on their assessments reviewed if they feel a decision has been made in error.

**Non-Academic** matters include those matters which do not relate to student progress, assessment, curriculum and awards in a VET course of study and includes complaints in relation to personal information that the VET provider holds in relation to the VET student and the handling of student personal information, the behaviour or actions of a BAA staff member and the behaviour or actions of another student.

#### Overview

BAA are committed to providing an effective, efficient, timely, fair and confidential grievance handling procedure for all students for both Academic and Non-Academic matters.

We are committed to continuous improvement and approach complaints as an opportunity to refine and improve our service delivery.

We respect both privacy and natural justice considerations when handling complaints or appeals. This policy is publicly available and is published on our website.

Complainants are entitled to access this grievance procedure regardless of the location of the where the grievance has arisen, the Complainant's place of residence or mode of study.

BAA will endeavour to resolve all complaints and appeals within 10 business days.

Students will be notified in writing of outcomes of all formal complaints/appeals, including reasons for the decision. Decisions will be made based on current Government Legislation, Standards for RTOs 2015, our Policies and Procedures, and where applicable, The Rules of Evidence, The Principles of Assessment and The Principles of Natural Justice.

If BAA requires more than 10 business days to resolve any complaint or appeal, we will write to all parties involved and explain why it requires more time and give an expected date that a resolution will be made. We will keep all parties informed during this time in writing.

For matters related to the ASHTAS certification, the learner has a right to appeal or complain to LANTRA if they are not satisfied with the response from BAA.

### **Responsibility**

All senior management staff are responsible for the implementation of this policy and procedure and for ensuring that all staff are fully trained in its operation and that all students are made aware of its availability on the company's intranet.

### **Informal Grievance Procedure**

In the first instance students will contact their allocated Trainer, Assessor to discuss any issues or concerns they may have.

If the student is dissatisfied with the outcome of their discussion with the Trainer, they can escalate the matter by sending an email to Student Support at [enquiries@buildersacademy.com.au](mailto:enquiries@buildersacademy.com.au), explaining their issue or concern.

BAA will investigate the student's issue/concern and respond to the student within 10 business days of the date of the student's e-mail.

The student will be advised of their right to access the Formal Grievance procedure, if they are still dissatisfied with the outcome at this stage.

### **Formal Grievance Procedure**

The General principles that will apply to all stages of this grievance procedure will be adhered to by all staff at BAA. These principles are as follows:

- The Complainant and respondent will have the opportunity to present their case at each stage of the procedure.
- The Complainant and the respondent have the option of being accompanied/assisted by a third person (such as a family member, friend or counsellor) if they so desire.
- The Complainant and the respondent will not be discriminated against or victimised.
- At all stages of the process, discussions relating to complaints, grievances and appeals will be recorded in writing. Reasons and a full explanation in writing for decisions and actions taken as part of this procedure will be provided to the Complainant and/or the respondent if requested.
- Records of all grievances will be kept for a period of at least five years. These records will be kept strictly confidential and stored electronically in a specific secure location and within a folder that will only be accessible to Senior Management.
- A Complainant shall have appropriate access to this grievance procedure at no cost.

### **Stage One**

Formal grievances should be submitted in writing to the Student Support Team:

**Email:** [enquiries@buildersacademy.com.au](mailto:enquiries@buildersacademy.com.au)

Once the complaint has been received the complainant will be sent a complaint number via email from a BAA student support staff member. BAA will commence assessment of the grievance within 5 business days of the complaint being received.

In some cases, the BAA representative investigating the complaint or grievance may need more information from the complainant to assist us in understanding and / or investigating their concerns.

We may contact the complainant by phone or email. In the event that the complainant does not return to us with further information after two contact attempts, we may elect to close the complaint. We will notify the complainant in writing where this is the case.

BAA will advise the Complainant in writing of the outcome (including details of the reasons) within 10 working days of the complaint being received. At this time, the Complainant will be advised of their right to access stage two of this procedure if they are not satisfied with the outcome of Stage One.

Where a complaint cannot be resolved within 15 business days, BAA will contact the complainant to advise them and will keep them informed of the progress of the matter.

### **Stage Two**

If the Complainant is not satisfied with the outcome of Stage One, they may lodge an appeal in writing with the General Manager Quality and Compliance, Builders Academy Australia:

**Post:** General Manager Quality and Compliance, Builders Academy Australia, Locked Bag 4002, South Melbourne 3205

**Email:** General Manager Quality and Compliance, [enquiries@buildersacademy.com.au](mailto:enquiries@buildersacademy.com.au)

The Complainant's appeal will be reviewed, and determination made by the General Manager Quality and Compliance who is an independent person not associated with the training function.

The General Manager Quality and Compliance will commence assessment of the grievance within 5 business days of the complaint being received and will advise the Complainant in writing of the outcome (including details of the reasons) within 10 business days of the complaint being received. At this time, and no longer than 10 business days of concluding the internal review, the Complainant will be advised of their right to access stage three of this procedure if they are not satisfied with the outcome of Stage two.

### **Stage Three**

If the Complainant is not satisfied with the outcome of Stage Two, they may request that the matter be referred to an external dispute resolution body appointed for this purpose by BAA.

BAA will source an independent mediator through Resolution Institution – an association of Dispute Resolution specialists.

The contact details are:

Level 1 13 – 15 Bridge Street  
SYDNEY NSW 2000

Phone: 02 9251 3366

Email: [infoaus@resolution.institute](mailto:infoaus@resolution.institute)

Costs of such mediation will be borne by BAA and shall be at no cost to the Complainant.

The parties must be available to attend mediation within 30 days. BAA will give due consideration to any recommendations arising from the external review within 10 working days.

### **Vet Student Loan (VSL) Enabled Students**

If you are paying for your course via a VET Student Loan and don't agree with the outcome of the external appeal you can contact the Commonwealth VET Student Loans Ombudsman, for more information go to <http://www.ombudsman.gov.au>

For all others, if you have been through all stages of this grievance handling process and remain unsatisfied with the outcome of your grievance, you may:

- contact the Australian Skills Quality Authority (ASQA). For contact details and information please see: [www.asqa.gov.au/complaints](http://www.asqa.gov.au/complaints)

Any costs associated with a complainant taking the matter further, will be borne by the complainant unless a court of law directs BAA to pay for such costs.

Where BAA does not agree with the outcome of the third-party recommendation, BAA will notify the complainant in writing outlining our decision and how we have come to that decision.

### **Improvement Actions**

BAA confirms its commitment to investigate and act on any complaint raised, and also to take appropriate action in any case where the complaints are substantiated. In cases where a complaint is upheld, BAA endeavors to identify the cause of the complaint and implement steps to prevent the situation happening again.

All improvement actions arising from complaints are raised via the complaints register. BAA maintains a Continuous Improvement Register for recording the receipt and management of improvement records.

Once improvement records are raised, the Compliance Team review complaints and their causes, evaluate corrective action to resolve the issue and prevent reoccurrence, implement appropriate actions, record results of actions undertaken and review these actions to ensure effectiveness after implementation.

### **Confidentiality**

All complaints are handled with confidentiality in mind. However, we acknowledge that some complaints may be of a more sensitive nature than others. You can request to log your request directly with a staff member from the Compliance Team or the Training Manager.

The complaints register is located on an internal intranet database and access is limited to key staff who deal with complaints due to the confidential and / or sensitive nature of some complaints.