Jesuit Community College abides by the over-arching Jesuit Social Services’ 6.1.28 Policy and Procedure – *Participant Consultation and Engagement, Feedback and Complaints Policy.*

In addition, Jesuit Community College has in place the following Complaints and Appeals Policy and Procedure relating to RTO operations.

ASQA Standard 6: Clauses 6.1, 6.2, 6.3. 6.4. 6.5,

**DEFINITION OF COMPLAINTS AND APPEALS**

‘Complaints’ refer to any issue a person might have with any aspect of our services. This includes the conduct of the RTO, its Trainers/Assessors, other staff, a third party providing services on our behalf or a student of the Jesuit Community College.

‘Appeals’ refer to appeals against any of our decisions, including assessment decisions.

Complete details of Jesuit Social Services’ *Participant Consultation and Engagement, Feedback and Complaints Policy* is available on our website: <http://jss.org.au/feedback-and-complaints/>

This Complaints Policy and Procedure is also available on our website: <https://jss.org.au/what-we-do/education-training-and-employment/jesuit-community-college/> and is contained within the Student Handbook

**GUIDING PRINCIPLES**

Anyone associated with our organisation has the right to bring a complaint and to appeal our decisions.

* We support informal, consultative processes to resolve issues wherever possible, but we also have processes to deal with formal complaints and appeals
* We will treat all people involved in any complaints process, fairly and reasonably, in line with the principles of natural justice
* We will involve the person bringing the complaint (‘the complainant’) or appealing a decision (‘the appellant’) in decisions about how to resolve issues; will give them reasonable notice of any processes, and ensure our decisions are unbiased
* We will treat all complaints and appeals in confidence, use independent people to hear formal complaints and will involve only those people who need to know and then only with the complainant’s permission
* We will promptly act on any substantiated complaint, with the action in line with the seriousness of the complaint
* All complaints and appeals will be reviewed by the Training and Administration Manager in regards to the potential cause and appropriate corrective action will be taken to eliminate or mitigate the likelihood of its reoccurrence
* All complaints and appeals will be registered on our Complaints and Appeals register. They will be reviewed on an annual basis as part of our internal audit process.
* We will follow the *National Guideline for Responding to Complaints about Vocational* *Education and Training Quality*
* Anyone who wishes to make a complaint to ASQA about Jesuit Community College can contact the ASQA on 1300 701 801 or through their website: https://www.asqa.gov.au/complaints.

**INFORMAL COMPLAINTS**

Students will be encouraged to raise complaints as soon as possible. This can be with a Trainer/Assessor or the Training and Administration Manager. The process is as follows:

* The person who first hears the complaint is responsible for seeing that the issue is addressed and followed through; this may include ensuring that the complaint is passed on to the appropriate person and resolved
* With the complainant’s permission, the informal process would usually involve meeting with other people involved to discuss the problem to identify options for resolution. This may involve helping the complainant in bringing their complaint directly to any others involved, if this is what the complainant wants to do
* The informal complaint and any agreements or outcomes should be recorded and placed on relevant personal files
* If the complainant is not satisfied with the outcome of the informal process, or finds it difficult to approach others informally, they may submit the issue in writing (this becomes a ‘formal complaint’).

**FORMAL COMPLAINTS**

When a student wishes to bring a formal complaint, this procedure will be discussed with them and their options and choices clearly communicated. At this time, they can choose to have their complaint heard through either the internal process or the external process and can choose to have someone be with them.

Formal resolution of a complaint involves the following steps:

1. Complaints should be made in writing using the Complaint Form which can be either sent to the complainant or they can be directed to the online version from the Jesuit Social Services website. <https://jss.org.au/feedback-and-complaints/>
2. If a complaint is verbal, the person hearing the complaint is required to document and then complete the Complaints Form
3. The form can be completed by the person making the complaint, with or without the help of a support person. If the person making the complaint is unable or does not want to complete the form, it can be completed by the staff person hearing he complaint. Staff hearing the complaint should encourage the student to allow the complaint to be documented and formally pursued.
4. The document must be signed and dated by either the complainant’s and/or the staff that heard the complaint and should include the complainant’s contact details.
5. The complaint is to be submitted to the Training and Administration Manager (if he is not directly involved in the complaint) sot that it can be investigated.
6. The person who hears the complaint must be independent of the issue; that is, they must not be directly involved in the matter. This could be a person from an external agency. If the Training and Administration Manager is directly involved, in the complaint, the Complaint Form is to be submitted to the General manager. The Training and Administration Manager will offer the complainant the opportunity to formally present their case with another person of their choice to assist if required.
7. The person who hears the complaint will record full details of the complaint, including: defining the problem; taking details of others involved and any informal processes already undertaken; recording any relevant events and dates and taking any suggestions from the complainant about how the issue could be resolved.
8. The person who hears the complaint will discuss processes for investigation and resolution with the person who brought the complaint.
9. Others involved will be provided with a right of reply to the complaint and mediation might be involved if appropriate.
10. Once a decision has been made by the person hearing the complaint, it will be discussed with the complainant and put in writing to that person and others as applicable. All resolutions will include clear timelines for any action.
11. The Training and Administration Manager will follow up within an agreed timeframe to ensure the resolution is working.
12. Jesuit Community College will complete the process within 7 days of receiving the complaint. If a longer period of time is required (in particular, more than 60 days), the Training and Administration Manager must inform the complainant in writing regarding the reason as to why the additional time is required, including the new date for the completion of the complaint. Jesuit Community College undertakes to provide regular updates on the progress of the particular matter.

**INFORMATION RETAINED REGARDING COMPLAINTS**

The Training and Administration Manager will ensure records are kept as follows:

* The original complaint, the response and all follow-up notes related to the specific complaint will be filed in hard copy in the lockable filing cabinet. They also may be kept electronically under a password protected file. All information will be kept in the Training and Administration Manager’s Office.
* Personal files of people involved will also contain relevant details, e.g. action to be taken.
* While this information is kept strictly confidential, complaints in general will be considered annually as part of the annual internal audit where the procedure for handling complaints will also be reviewed to ensure appropriateness.
* The Training and Administration Manager is to send a copy of the completed complaint form to the General Manager practice Development & Innovation at Jesuit Social Services Central Office and the relevant General Manager who is to then forward the complaint to the Executive Director of Programs and the Executive Director of Business Support. The General manager Practice Development & innovation is to enter the complaint into the Complaints Register Learning & Practice Development Manager at Jesuit Social Services will be notified about all complaints.

**APPEALS OVERVIEW**

Anyone can appeal any of our decisions by providing information in writing to the Training and Administration Manager, preferably as soon as possible after the decision.

If a student disagrees with an assessment decision, including Recognition of Prior Learning (RPL), they are encouraged to discuss this with their Trainer/Assessor in the first instance. However, they may make a formal appeal concerning the decision through the formal complaints procedure.

**APPEALS PROCESS**

The appeal follows the procedure outlined below. The student may choose to follow the internal appeals process, or seek external support for an appeals process.

* An appeal about an assessment decision should be provided in writing to the Training and Administration Manager within 7 days of receiving notice of the assessment outcome. The appeal must include the following details: the unit or units of competency; the assessment time and place; reason for the appeal and any further information or evidence to support the appeal
* The Training and Administration Manager will offer a re-assessment with another internal Trainer/Assessor. If this is not satisfactory to the appellant, the appeal will be referred to an Trainer/Assessor from another RTO
* The appointed Trainer/Assessor will re-assess the student (or review evidence presented) and make a judgement
1. Appeals about any other matter will be handled in line with our organisational

6.1.28 Policy and Procedure – *Participant Consultation and Engagement, Feedback and Complaints Policy.*

1. We will attempt to complete the appeals process within 7 days of receiving the appeal notification. If a longer period of time is required (in particular, more than 60 days), the Training and Administration Manager must inform the appellant in writing regarding the reason as to why the additional time is required, including the new date for the completion of the appeal. Jesuit Community College undertakes to provide regular updates on the progress of the particular matter.

**APPEALS DECISIONS AND RECORDS**

* The Training and Administration Manager will provide the outcomes of the appeal in writing to the person bringing the appeal, including reasons for the decision
* A copy of the appeal and outcomes will be placed on the relevant secured personal files. The more general information will be utilised in the review of assessment procedures for the course or unit.
* The Learning & Practice Development Manager at Jesuit Social Services will be notified about all complaints

**INDEPENDENT AGENCIES**

* While we prefer to deal with complaints and appeals internally, sometimes students might not be happy with this process. The complainant/appellant may choose, at any time throughout the resolution process, to have their complaint/appeal resolved through an external process.
* Jesuit Community College acknowledges the need for an appropriate independent party to be appointed to review a matter where this is requested by the complainant or appellant and the internal processes have failed to resolve the matter. Costs associated with independent parties to review a matter must be covered by the complainant/appellant unless the decision to include an independent party was made by Jesuit Community College.
* The independent party recommended by Jesuit Community College is LEADR Association of Dispute Resolvers, however complainants and appellants are able to use their own external party at their own cost.
* Students and others have the right to take complaints/appeals to external agencies.
* Students also have the right to contact the Jesuit Community College regulatory body Australian Skills Quality Authority (ASQA).

**CONTACT INFORMATION EXTERNAL BODIES**

The following groups and organisations may be consulted for more information or to help with dispute resolution.

* **National Training Complaints Hotline**

Tel: 1800 000 674 (free call)

* **Australian Skills Quality Authority (ASQA) Complaints Unit**

Phone: 1300 701 801

URL:  [http://www.asqa.gov.au/complaints/making-a-complaint.htm](http://www.asqa.gov.au/complaints/making-a-complaint.html)l

* **Consumer Affairs Victoria**

Level 2, 452 Flinders Street Melbourne 3000

Phone: 1300 55 81 81

email:  consumer@justice.vic.gov.au URL:  [www.consumer.vic.gov.a](http://www.consumer.vic.gov.au/)u

* **Victorian Equal Opportunity & Human Rights Commission**

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