Policy & Procedure

COMPLAINTS AND APPEALS POLICY & PROCEDURE

Policy number:	3	Version:	14
Responsible Person:	CEO	Reviewed by:	CEO
NRCHI Area:	Operational / Risk	Review Date:	Nov 26
Approved and adopted by:	Board of Governance	Next Review Date:	Nov 29

Scope

This policy applies to all staff (paid and volunteer), contractors, Board of Governance members, patrons and students receiving, managing or submitting complaints regarding NRCHI's services, staff or complaint handling processes.

It applies to complaints and appeals relating to employees, volunteers, patrons and students, including students undertaking accredited training and Skills First-funded programs.

Purpose

This policy provides direction and guidance for all staff, contractors, Board of Governance members, patrons and students on utilising a fair and equitable process when managing employee, volunteer, patron and student complaints and appeals.

This policy works in conjunction with the NRCHI Code of Conduct Policy, NRCHI Confidentiality Policy, NRCHI Records Management Policy and other related policies.

NRCHI will comply with applicable Victorian regulatory requirements, the Victorian Registration and Qualifications Authority (VRQA) Guidelines for VET Providers, the 2025 Standards for Registered Training Organisations, the Skills First VET Funding Contract and other contractual obligations relating to government funding and service agreements.

This policy is provided in the Enrolment Pack to every Accredited Student upon enrolment. It is also available on the NRCHI website and from the NRCHI office.

Policy Statement

North Ringwood Community House Inc (NRCHI) acknowledges that sometimes problems can arise which cause people to feel aggrieved. NRCHI aims to have a fair, efficient and effective process in place to handle employee, volunteer, patron and student complaints and appeals.

Anyone associated with NRCHI has the right to bring a complaint and to appeal decisions made by NRCHI. 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 and procedural fairness. This policy provides an avenue for most complaints to be addressed. However, in some cases alternative measures may need to be explored.

NRCHI will encourage the parties to approach a complaint or appeal with an open mind and attempt to resolve problems through discussion and conciliation wherever appropriate.

We aim to resolve the majority of complaints received through an early resolution process. We will promptly act on any substantiated complaint, with appropriate action in line with the seriousness of the complaint.

Appeals regarding assessments for Accredited Courses will be dealt with via the appeals section of this policy and in accordance with applicable VRQA requirements and the relevant Standards for Registered Training Organisations.

Where a complaint relates to unlawful harassment, discrimination or bullying, including sexual harassment or gender or race-based harassment, the CEO must be notified. The CEO will manage the matter immediately and sensitively in accordance with the NRCHI Privacy Policy and the NRCHI Bullying Policy or Gender Related Violence including Sexual Harassment Policy, whichever is relevant.

Where necessary, the complainant will also be provided with information about external support agencies, such as the Victorian Equal Opportunity and Human Rights Commission.

Where a complaint relates to an allegation of child safety concerns or abuse, the complaint will be managed by the CEO in accordance with the NRCHI Child Protection Policy and/or Child Safety and Wellbeing Policy.

While we prefer to deal with complaints internally, sometimes complainants may not be happy with this process. The complainant may choose to have their complaint addressed through an external process either at the beginning or at any time throughout the resolution process.

NRCHI has a legal obligation to report serious incidents to the Police and/or WorkSafe, and to other relevant authorities where required by law.

Information will only be accessed or disclosed to people who need to know to manage the complaint, investigate allegations, take appropriate action or meet legal, regulatory or governance obligations. Information will not be released to unauthorised persons without consent unless disclosure is authorised or required by law.

What is a complaint?

A complaint is an expression of dissatisfaction by one or more members of the public, staff or volunteers about an action or lack of action, or about the standard of service provided by or on behalf of NRCHI.

A complaint may be about:

- Our services or dealings with individuals, including the quality of teaching, training delivery or assessment, student amenities, discrimination, sexual harassment or any other issues which may arise.
- Allegations of misconduct by a staff member, volunteer, contractor or another individual associated with NRCHI.
- The alleged inadequate handling of a prior complaint or concern.
- Concerns for Child Safety.
- Services delivered by contractors or other third parties on behalf of NRCHI.

Complaints may be made by students, employees, volunteers, patrons or other individuals associated with NRCHI.

Informal complaints

An informal complaint means a matter that requires follow-up action or investigation by NRCHI to resolve the matter without a formal process.

It usually involves less serious issues and may be resolved directly with the person or persons responsible for the subject matter of the complaint.

Formal Complaints

A formal complaint is a complaint that requires investigation and a formal resolution. Formal complaints should normally be submitted in writing by email, letter or using the NRCHI Complaints Form. Where an individual has difficulty putting their complaint in writing, NRCHI will provide reasonable assistance. Complaints raised verbally or anonymously will also be considered in accordance with this policy.

Where an individual has difficulty putting their complaint in writing, NRCHI will provide reasonable assistance to enable them to submit their concerns.

Child Abuse complaints

A complaint regarding child abuse or harm may involve:

- Disclosures of abuse or harm made by a child or young person.
- The conduct of a child or young person at NRCHI.
- The conduct of an adult towards a child or young person.
- The inadequate handling of a prior concern.
- General concerns about the safety of a group of children or an activity.
- A breach of the NRCHI Child Safety Code of Conduct or child safety procedures.

Anonymous complaints

Anonymous complaints will not normally be investigated where there is insufficient information to enable a fair and thorough investigation. However, NRCHI may initiate an investigation where a serious risk is identified or where sufficient information is provided to enable an investigation to be conducted.

Anonymous complaints relating to child safety, abuse, serious misconduct, discrimination, harassment or other significant risks will be considered carefully, and appropriate protective or reporting action will be taken where necessary.

Where a complaint cannot be investigated fully because the complainant is anonymous, NRCHI will still consider whether any immediate action is required to protect individuals or the organisation.

Appeals

Appeals include:

1. A request for a review of an assessment result for Accredited Courses, including assessments for Recognition of Prior Learning (RPL).
2. A request for a review of a decision following investigation of a complaint other than course assessments.

The appeals process is designed to ensure that the appellant has been treated fairly and consistently in the consideration of their complaint. Appellants may choose to follow the NRCHI internal appeals process or seek external assistance for an appeal.

Participants in a complaints process can appeal decisions made by NRCHI by providing information in writing to the CEO, preferably as soon as possible after the decision.

Where the CEO has made the original decision or has been involved in the investigation, the appeal will be referred to an appropriately independent person or the Board of Governance, as appropriate.

Protection from Victimisation

NRCHI will not tolerate victimisation, intimidation, harassment or disadvantage towards any person because they have made a complaint, raised a concern, participated in an investigation or supported another person through a complaints process. Any allegation of victimisation will be treated seriously and may result in further investigation and appropriate action.

Making a complaint in good faith will not adversely affect a student's enrolment, assessment, access to services or participation in NRCHI activities, or an employee's or volunteer's position.

Knowingly making a false or malicious complaint may be dealt with appropriately. However, a complaint will not be considered malicious simply because it cannot be substantiated.

Accessibility and Support

NRCHI will ensure that its complaints and appeals process is accessible to all individuals.

Reasonable assistance will be provided to people who require support to make a complaint, participate in an investigation or understand the outcome of a complaint or appeal.

Individuals may request assistance with submitting a complaint, including assistance with written communication, and may have a support person or advocate present during discussions or meetings.

NRCHI will consider reasonable adjustments to ensure that all individuals have an equitable opportunity to participate in the complaints and appeals process.

Procedure

NRCHI will involve the person bringing the complaint (the complainant) or appealing a decision (the appellant) in decisions about how to resolve issues.

We will:

- Give reasonable notice of any processes.
- Ensure decisions are unbiased and made by people without an actual or perceived conflict of interest.
- Provide the complainant or appellant with information about the process and expected timeframes.
- Provide reasonable assistance where a person has difficulty accessing or participating in the process.
- Allow a support person to accompany the complainant or appellant.
- Treat all parties fairly and maintain confidentiality as far as reasonably possible.

Where a complaint concerns a particular employee, volunteer, contractor or other individual (the respondent), that person will be given sufficient information about the allegations and a reasonable opportunity to respond before an adverse finding is made.

Verbal Complaints

Individuals may raise complaints verbally with the CEO or another appropriate NRCHI staff member. Where a verbal complaint requires investigation or follow-up, the person receiving it must ensure that the matter is recorded and referred to the CEO.

A complaint will not be disregarded solely because it has been raised verbally rather than in writing.

Informal complaints

- Individuals wishing to make a complaint will be referred to the CEO, who will discuss the matter with the complainant and offer suggestions for resolving the complaint.
- The informal complaint should be recorded and include the date and details of the complaint.
- With the complainant's permission, the informal process may involve meeting directly with the other person or people involved to discuss the problem and identify options for resolution.
- If the complainant finds it difficult to approach others, they may request a facilitator to assist with this process.
- Where appropriate, the CEO may arrange mediation or conciliation.

- The informal process will be managed sensitively and confidentially, with information shared only where necessary to resolve the matter or meet legal obligations.
- If the complainant is not satisfied with the outcome of the informal process, they may submit the issue in writing. This becomes a formal complaint.
- Serious complaints, including allegations of abuse, assault, harassment or significant misconduct, will not be required to go through an informal resolution process.

Formal complaints

If a formal complaint is about the CEO, or the CEO has had any involvement with the issue under investigation, it will be referred to the Board of Governance for resolution.

Where a complaint involves a Board member or a potential conflict of interest within the Board, the remaining unconflicted Board members will determine an appropriate independent process. This may include engaging an external investigator or independent person.

All other formal complaints will be managed by the CEO.

The CEO will acknowledge a complaint within 5 working days of receipt.

All complaints and appeals will be treated confidentially. Independent people will be used to hear formal complaints where appropriate. Only people who need to know about the complaint will be involved.

Information may be disclosed without the complainant's permission where necessary to:

- Give the respondent a fair opportunity to respond.
- Conduct a proper investigation.
- Protect the safety and wellbeing of individuals.
- Meet legal or mandatory reporting obligations.
- Comply with regulatory or contractual requirements.

Formal resolution of a complaint involves the following steps:

1. Lodgement of complaint

Complaints should be made in writing to the CEO, preferably using the NRCHI Complaints Form.

The complaint should include:

- A brief statement of the complaint.
- The complainant's name and contact details.
- The complainant's preferred method of communication.
- Relevant details and supporting information, where available.

Where a person requires assistance to submit a complaint, NRCHI will provide reasonable assistance.

2. Initial discussion

The CEO will discuss the procedure with the complainant and ensure their options and choices are clearly communicated.

At this time, they can choose to have a support person accompany them.

3. Recording the complaint

The CEO will record full details of the complaint, including:

- Defining the problem.
- Taking details of others involved.
- Recording any informal processes already undertaken.
- Recording relevant events and dates.
- Recording any suggestions from the complainant about how the issue could be resolved.

4. Investigation process

The CEO will discuss the investigation and resolution process with the person who brought the complaint.

The investigation will be conducted fairly, impartially and as promptly as possible.

The respondent will be provided with sufficient details of the allegations and a reasonable opportunity to respond.

Where appropriate, NRCHI may seek further information, interview relevant individuals, review documentation or engage an independent person to assist with the investigation.

5. Serious complaints

If the complaint is serious (e.g. assault, stalking, theft or other significant misconduct), the respondent may, at the discretion of the CEO or Board of Governance where appropriate, be suspended or have their duties temporarily restricted during the investigation.

Any such action will be considered in accordance with relevant employment, contractual and organisational requirements and will not be treated as a finding of wrongdoing.

NRCHI has an obligation to report serious incidents to the Police and/or WorkSafe and other relevant authorities where required.

6. Decision and outcome

Others involved will be provided with the right of reply to the complaint.

Mediation may be involved if appropriate and if it is safe and suitable for the circumstances.

The outcome of the complaint will be documented and communicated to all parties involved. Information provided to each party will be appropriate to their involvement and consistent with privacy and confidentiality obligations.

The outcome will include:

- The decision made.
- The reasons for the decision, where appropriate.
- Any action to be taken.
- Clear timelines for agreed actions.
- Information about the right to appeal or seek external assistance.

7. Right of appeal

The complainant and, where appropriate, other affected parties will be informed of their right to appeal the decision.

An appeal will be considered by someone who was not responsible for the original investigation or decision wherever practicable.

8. Follow-up

The CEO will follow up within an agreed timeframe to ensure the resolution is working.

9. Timeframe

NRCHI will attempt to complete the complaint process within 14 days of receiving the complaint.

If this is not possible, the CEO will provide notice to the complainant nominating a revised date for completion and explaining the reason for the delay.

The complainant will be provided with progress updates where the investigation takes longer than expected.

The 14-day timeframe is a target and may be extended where the circumstances require additional investigation or external assistance.

Child Abuse complaints

If a staff member, volunteer or contractor becomes aware of an incident or allegation of abuse or harm, the first responsibility is to ensure that the child or children are safe and the risks of further abuse or harm are mitigated.

The staff member receiving the complaint must immediately report such matters to the CEO.

Where there is an immediate risk to a child's safety, urgent action must be taken to protect the child, including contacting emergency services or Police where necessary.

A person must not delay making a report to the relevant authorities while waiting for approval or direction from the CEO where they have an individual reporting obligation.

The CEO will manage the complaint in compliance with the NRCHI Child Protection Policy and Child Safety and Wellbeing Policy.

The following principles will apply:

- The safety and wellbeing of the child is the primary consideration.
- Children and young people will be supported to raise concerns and complaints.
- Complaints will be taken seriously and responded to promptly and sensitively.
- Children will be treated with respect and their views considered in an age-appropriate manner.
- Information will be shared only with people who need to know, or where disclosure is required or authorised by law.
- The organisation will cooperate with Police, Child Protection and other relevant authorities.
- Appropriate measures will be taken to manage risks to children while an investigation is underway.
- Relevant records and evidence will be securely retained.

Reporting child abuse complaints where required

The CEO will establish what reports and notifications are required under applicable child protection laws, the NRCHI Child Protection Policy and relevant Child Safe Standards.

This does not remove or replace the individual reporting obligations of staff, volunteers, contractors or other persons where such obligations apply.

The CEO will report allegations of child abuse to the Board of Governance as soon as is practicable, subject to any legal requirements or directions from investigating authorities.

NRCHI will cooperate with relevant authorities and will not conduct an investigation in a way that interferes with a Police or Child Protection investigation.

Withdrawal of Complaints

A complainant may withdraw their complaint at any stage of the process by advising NRCHI.

Where a complaint is withdrawn, NRCHI will consider whether any further action is necessary, particularly where the complaint identifies a potential risk to the safety and wellbeing of an individual, a serious breach of policy or a legal or regulatory reporting obligation.

Appeals

Students, employees, volunteers and patrons may appeal decisions made by NRCHI.

NRCHI provides an appeals process to ensure that decisions are reviewed fairly and consistently. An appeal should normally be submitted in writing to the CEO within 14 days of receiving notification of the decision.

All formal appeals will be acknowledged in writing within five working days of receipt.

Assessment Appeals – Accredited Courses and RPL

Students may appeal an assessment decision for an Accredited Course, including an assessment for Recognition of Prior Learning (RPL).

Students are encouraged to discuss their concerns with their trainer/assessor in the first instance.

Where the student is unable or uncomfortable approaching the trainer, or cannot resolve the issue, they may request a review by the TrainingCoordinator. Where the trainer/assessor is also the Training Coordinator, or is involved in the matter, the student may appeal directly to the CEO.

An assessment appeal should be submitted in writing within 14 days of receiving the assessment outcome.

Late appeals will not normally be accepted unless extenuating circumstances apply. These may include illness, family or personal matters or other circumstances outside the student's control. The CEO will consider these circumstances on a case-by-case basis.

The formal appeal should include:

- The unit or units of competency.
- The date and location of the assessment.
- The reason for the appeal.
- Any supporting information or evidence.

The CEO will arrange a review or reassessment by another appropriately qualified assessor who was not involved in the original assessment decision. The review may include examination of the original assessment evidence, assessment process and decision.

If the student remains dissatisfied, the appeal will be referred to an appropriately qualified assessor from another RTO for independent review. The independent assessor will review the evidence or conduct a reassessment, as appropriate, in accordance with the relevant training package requirements and assessment principles.

The student will be informed of the outcome in writing, including reasons for the decision.

Where an appeal is upheld, NRCHI will take appropriate corrective action.

Students may also contact the VRQA or other relevant external authority at any stage.

Appeals of Other Decisions Affecting Students

Students may appeal any decision made by NRCHI, its employees or representatives acting on its behalf where that decision adversely affects them.

This may include decisions relating to:

- Enrolment or participation in training.
- Access to services and student support.
- Student progress.
- Assessment and RPL.
- Other decisions affecting the student's training experience.

Students may request a review by the CEO or an appropriately independent person.

Where the original decision was made by the CEO, the appeal will be referred to the Board of Governance or an appropriately independent person.

Appeals Following Investigation of a Complaint

An employee, volunteer, patron or student may appeal a decision following investigation of a complaint.

An appeal should be submitted in writing to the CEO within 14 days of receiving the outcome. Where the original decision was made by the CEO, the appeal will be referred to the Board of Governance or an appropriately independent person.

The appeal reviewer will consider:

- Whether the complaint was handled fairly and impartially.
- Whether relevant information was considered.
- Whether the parties had an appropriate opportunity to respond.
- Whether the decision was reasonable and supported by available information.
- Whether the correct procedures were followed.
- Whether new information justifies reviewing the original decision.

Independent Review

Where an appellant is dissatisfied with an internal appeal outcome, they may request an independent review by a suitably qualified person who has had no previous involvement in the matter.

Where NRCHI cannot provide an appropriately independent internal reviewer, an external person may be engaged. Independent reviews will be made available at no or low cost to the appellant. Any proposed cost

will be explained before proceeding. The independent reviewer will consider the fairness of the process, the decision and any further information provided.

The outcome will be provided in writing, including reasons for the decision and any corrective action required.

Appeal Outcomes and Timeframes

NRCHI will aim to complete appeals within 14 days of receiving the appeal.

Where a longer period is required, the appellant will be notified in writing of the reason for the delay and the revised completion date. Progress updates will be provided where necessary.

Appeal outcomes will be communicated in writing and include reasons for the decision, any actions required and relevant timeframes.

Where an appeal is upheld, NRCHI will take appropriate corrective action.

Where an appeal is not upheld, the appellant will be informed of the reasons and available external complaint avenues.

Recordkeeping, Privacy and Confidentiality

The CEO is responsible for ensuring that complaints and appeals are recorded and securely maintained in accordance with the NRCHI Records Management Policy, Confidentiality Policy, Privacy Policy and applicable legislative and regulatory requirements.

Records will include, as appropriate:

- The original complaint or appeal.
- Responses and follow-up correspondence.
- Notes of meetings and discussions.
- Investigation details and evidence considered.
- Decisions and reasons for decisions.
- Agreed actions and completion details.
- External referrals or reports.

The following filing arrangements will apply:

- Original complaints, responses, investigation notes and appeal records will be filed securely in the Complaints file in the CEO's office.
- Relevant information may be placed on employee or volunteer files where appropriate.
- Student reassessment and assessment appeal records will be retained securely in the individual student file.

NRCHI will maintain a confidential Complaints and Appeals Register recording:

- Date received.
- Complainant's name, where provided.
- Nature of the complaint or appeal.
- Person responsible for managing the matter.
- Actions taken and investigation status.
- Outcome and date of resolution.
- Any appeal lodged.
- Corrective or preventative actions identified.

Access to complaint and appeal records will be restricted to authorised people who need the information for complaint management, organisational governance, regulatory compliance or other lawful purposes.

Personal information will only be collected where reasonably necessary to manage, investigate and resolve the matter or meet legal and regulatory obligations.

Information will not be disclosed without consent unless disclosure is required or authorised by law, necessary for procedural fairness, required to conduct a proper investigation or necessary to protect an individual's safety and wellbeing.

All parties will be expected to respect the privacy of others and not disclose confidential information unnecessarily.

Records will be retained and disposed of in accordance with the NRCHI Records Management Policy and applicable retention requirements.

Corrective Action and Continuous Improvement

NRCHI is committed to using complaints and appeals to improve its services, training delivery, assessment practices and organisational processes.

Where a complaint or appeal identifies a deficiency, appropriate corrective or preventative action will be taken.

This may include:

- Changes to procedures or administrative processes.
- Additional staff training.
- Improvements to student support.
- Changes to training delivery or assessment practices.
- Other measures to prevent the issue occurring again.

The CEO will monitor agreed corrective actions and consider complaint and appeal trends as part of NRCHI's continuous improvement processes.

The CEO and Board of Governance may periodically review complaint information, including the number and nature of complaints, resolution timeframes, appeal outcomes and corrective actions.

External Complaints and Regulatory Authorities

NRCHI recognises that individuals may wish to seek assistance or lodge a complaint with an external organisation if they are dissatisfied with the outcome of an internal complaint or appeal, or at any stage of the complaints process.

Individuals are not required to exhaust NRCHI's internal complaints and appeals process before approaching an external authority.

Depending on the nature of the complaint, individuals may contact the following organisations:

Victorian Registration and Qualifications Authority (VRQA)

Students may contact the VRQA regarding concerns about NRCHI's compliance with applicable regulatory requirements, RTO standards and VRQA Guidelines.

Website: https://www2.vrqa.vic.gov.au/make-complaint
Phone: 03 9637 2806
Email: vrqa.vet@education.vic.gov.au

Department of Jobs, Skills, Industry and Regions (DJSIR) – Skills First

Students undertaking Skills First-funded training may contact the Department regarding funded training arrangements and Skills First concerns.

TAFE and Training Line: 13 18 23
Email: tafe.courseline@djsir.vic.gov.au
Website: https://www.vic.gov.au/tafe-and-training-line

Department of Jobs, Skills, Industry and Regions:
Phone: 1800 878 969
Website: https://djsir.vic.gov.au/about-us/contact-us

WorkSafe Victoria

Workplace health and safety matters and relevant reporting obligations.

To speak to an advisor 1800 136 089
Website: https://www.worksafe.vic.gov.au/contact-worksafe

Dispute Settlement Centre of Victoria

Phone: 03 9603 8370
Toll Free: 1300 372 888
Website: https://www.disputes.vic.gov.au/

Consumer Affairs Victoria

Phone: 1300 558 181
Email: consumer@justice.vic.gov.au
Website: https://www.consumer.vic.gov.au/

Victorian Equal Opportunity and Human Rights Commission

Phone: 1300 292 153
Email: enquiries@veohrc.vic.gov.au
Website: https://www.humanrights.vic.gov.au/

Other relevant authorities may include:

- Victoria Police.
- Department of Families, Fairness and Housing – Child Protection.
- Commission for Children and Young People.
- Victorian Ombudsman.
- Office of the Victorian Information Commissioner.

NRCHI will cooperate with relevant external authorities and provide information where required or authorised by law or contractual obligations.

Related Documents

- Records Management Policy
- Gender Related Violence including Sexual Harassment Policy
- Bullying Policy
- Workplace Health and Safety Policy
- Emergency Policy
- Critical Incident Policy
- Participant and Site Safety Policy
- Equal Employment Policy
- Confidentiality Policy
- Privacy Policy
- Incident Report
- Child Protection Policy
- Child Safety and Wellbeing Policy
- Code of Conduct
- Complaint and Appeals Form

- Complaint and Appeals Register

Related Legislation and Compliance

Victorian Registration and Qualifications Authority (VRQA) ***Guidelines*** **-** ***Standards for Vocational Education and Training Providers*****,** including the **2025 Standards for Registered Training Organisations (RTOs)**
Skills First program requirements and applicable VET Funding Contract
Applicable Commonwealth and State Government Funding Agreements, Contracts and Guidelines
Applicable VET legislation, data reporting requirements and regulatory instruments.

Document Locations

Electronic file folders accessible by NRCH Administration staff
Student Enrolment Pack
Website
Staff Noticeboards
Reception Noticeboard

Date reviewed	Version	Details of changes (if any)	Date of next review
2/10/2023	13	Re-instatement of RTO requirements	October 2026
Nov 26	14	Updated to reflect current legislation and changes to VRQA Guidelines and 2025 Standard for RTOs	Nov 29