

## VET STUDENT LOANS – COMPLAINTS HANDLING-GRIEVANCE PROCEDURES

### Version control & document history

DATE	SUMMARY OF MODIFICATIONS MADE	MADE/MODIFIED BY	VERSION
May 2019	Creation of the policy.	B. McPherson	1.0
January 2022	Policy modified to adhere with Section 88 of the VSL Rules 2016	D. Buchta	2.0

#### 1. POLICY PURPOSE

The purpose of this policy is to provide a fair, transparent and consistent process when dealing with complaint handling and grievance procedures at Patrick's College Australia (The College). These procedures sets out the processes and steps associated with managing student complaints and grievances in courses offered by The College, which are approved under VET Student Loans. This policy/procedure addresses the requirements of s88 of the VSL Rules 2016.

#### 2. WHAT IS A COMPLAINT?

A complaint is generally negative feedback about services or staff which has not been resolved locally. A complaint may be received by PCA in any form and does not need to be formally documented by the complainant in order to be acted on. Complaints may be made by any person but are generally made by students and/or employers.

#### 3. EARLY RESOLUTION OF COMPLAINTS

In all cases, issues that arise during training and assessment that are the source of frustration or are in dispute should be resolved at the time they occur between the persons involved. It is often the case that complaints can be avoided by proper communication and respect between persons involved.

#### 4. RELATIONSHIP TO CONTINUE CONTINUOUS IMPROVEMENT

Frequently, the complaints handling process will expose weaknesses in the training and assessment system that can flow into the continuous improvement system as opportunities for improvement. This outcome of complaints handling is very positive and should be actively applied by all persons involved. It is for this reason that complaints received from stakeholders should be seen in a positive light and as opportunities for improvement.



## 5. COMPLAINT HANDLING PRINCIPLES

The College will apply the following principles to its complaints handling:

- a) A written record of all complaints is to be kept by The College, including all details of lodgement, response and resolution. The complaints register within RTO Data is to be used to record the details of the complaint and to maintain a chronological journal of events during the complaint handling process. Records relating to complaint handling must be stored securely to prevent access to unauthorised personnel.
- b) A complainant is to be provided an opportunity to formally present his or her case at no cost [VSL Rules s88 (2)(d)]
- c) In accordance with the VSL Rules (Subdivision H) s90, PCA shall ensure that students for seeking review/presenting with grievances are not subjected to victimisation or discrimination of etc. for:
  - (a) seeking review or reconsideration of a decision; or
  - (b) using the provider's processes or procedures about dealing with grievances;

PCA will use its processes and policies to ensure that a student is not victimised or discriminated against for making an application for recrediting of the student's FEEHELP balance under Part 6 of the VSL Act. (See PCA Re-credit policy for VSL).

- d) Each complainant may be accompanied and/or assisted by a support person at any relevant meeting.
- e) The complaints policy must be publicly available. This means that the complaints policy and procedure is published on The College's website.
- f) The handling of a complaint is to commence within seven (7) working days of the lodgement of the complaint and all reasonable measures are taken to finalise the process as soon as practicable. [VSL Rules s88 (2)(b)]
- g) The complainant is to be provided a written response to the complaint, including details of the reasons for the outcome. A written response must be provided to the complainant within fourteen (14) days of the lodgement of the complaint
- h) Complaints must be resolved to a final outcome within sixty (60) days of the complaint being initially received. Where The College's CEO considers that more than 60 calendar days are required to process and finalise the complaint, they will inform the complainant in writing, including reasons why more than 60 calendar days are required.



- i) As a benchmark, the College will attempt to resolve complaints as soon as possible. A timeframe to resolve a complaint within thirty (30) days is considered acceptable and in the best interest of The College and the complainant. A complainant should also be provided with regular updates to inform them of the progress of the complaint handling. Updates should be provided to the complainant at a minimum of four (4) weekly intervals.
- j) The College will maintain the enrolment of the complainant during the complaint handling process.
- k) Decisions or outcomes of the complaint handling process that find in the favour of the student shall be implemented immediately.
- l) Complaints are to be handled in the strictest of confidence. No representative of The College is to disclose information to any person without the permission of The College's CEO. A decision to release information to third parties is to be made after the complainant has given permission for this to occur. This permission should be given using the Information Release Form.
- m) Complaints are to be considered and handled to ensure the principles of natural justice and procedural fairness are applied at every stage of the complaint handling process. This means that the complainant is entitled to be heard with access to all relevant information and with the right of reply. The complainant is entitled to have their complaint heard by a person that is without bias and may not be affected by the decision. Finally the decision must be made based on logical evidence and decision-maker must take account of relevant considerations, must act for a proper purpose and must not take into account irrelevant considerations. Further guidance on principles of natural justice and procedural fairness can be accessed at the following link: [Principles of Natural Justice and Procedural Fairness](#)
- n) A complainant who remains not satisfied with the process applied by The College following review by an independent party may refer their grievance to the Australian Skills Quality Authority - ASQA Online Complaint Form [click here](#). Students are to be advised that ASQA will require the student to have exhausted all avenues through The College's internal complaints handling procedure before taking this option.
- o) The College considers that it would be extremely unlikely that complaints and appeals are not able to be resolved quickly within The College's internal arrangements.



## 6. COMPLAINTS HANDLING PROCEDURE – INTERNAL REVIEW

The following procedure is to be followed when a complaint form is received:

The following A Complaints Form is received by The College and is to be immediately recorded into The College's Complaints and Appeals Register.

1. Complaints which are received in other forms such as phone or email are to be detailed on a Complaints and Appeals Form by the person (staff member) receiving the complaint and then recorded in the Complaints and Appeals Register.
2. The Complaints and Appeals Form is to be forwarded to The College's CEO who is to review the matter and make recommendation as to how to respond to the matter. The College's CEO may choose to consult with the complainant, with others within The College or relevant agencies external to The College in determining their recommendations.
3. The College's CEO may choose to make inquiries about the matter or may task another person to research the matter against relevant policy.
  - a) The College's CEO is to commence their review of the complaint within seven (7) working days from the date the complaint was submitted. *[VSL Rules s88 (2)(b)]*
  - b) The College's CEO is to finalise their response to the complainant and provide the complainant a response as soon as possible but no later than fourteen (14) working days from when the complaint was submitted. *[VSL Rules s88 (2)(b)]*
4. The College's CEO is to communicate the response to the complainant personally either during a meeting or via the telephone. Complaint responses are not to be provided to the complainant via any third-party or via electronic communication such as e-mail. The College's CEO is to seek feedback from the complainant about their level of satisfaction with the complaint outcome and advise the complainant of their options if they are not completely satisfied with the outcome.
5. Where the complainant is not satisfied with the outcome of the complaint handling, The College's CEO is to arrange for the complaint to be considered by an appropriate independent third-party (LEADR). The independent third-party (LEADR) is required to respond with their recommendations within fourteen (14) days of their review being requested.
6. A complainant who remains not satisfied with the process applied by The College following review by an independent party may refer their grievance to the Australian Skills Quality Authority - ASQA Online Complaint Form [click here](#). Students are to be advised that ASQA will require the student to have exhausted all avenues through The College's internal complaints handling procedure before taking this option.



7. The response to the complainant must include information that demonstrates that the matter was thoroughly reviewed and what actions and outcomes have been identified as a result of the complaint.
8. Opportunities for improvement that were identified as a result of the complaint are to be recorded in a Continuous Improvement Report and submitted for the next Management Team meeting. The College's CEO may, at his or her discretion, follow-up with the complainant after consideration by the Management Team to inform the complainant of the improvement actions identified.
9. The Complaints and Appeals Register is to be kept up to date at all times to accurately reflect how the matter was responded to and the duration from the date the complaint was received to the date the complaint was resolved.



## **7. COMPLAINTS HANDLING PROCEDURE – REVIEW BY EXTERNAL AGENCY**

10. Where the complainant is not satisfied with the handling of the matter by The College's CEO, they have the opportunity for a review by an external and independent person or body with appropriate expertise; to review his or her complaint following the internal completion of complaint handling process. In these circumstances The College's CEO will advise of an appropriate party independent of The College to review the complaint (and its subsequent handling) and provide advice to The College in regards to the recommended outcomes. This advice is to be accepted as final and advised to the complainant in writing.

Each party may be accompanied or assisted by another person at the review, at that party's cost, and each party is to be given written notice of the decision on review, include the reasons for the decision.

## **8. COMPLAINTS OF A NON-ACADEMIC NATURE**

As stated in 4. Relationship to Continue Continuous Improvement, *Frequently, the complaints handling process will expose weaknesses in the training and assessment system.* However, not all complaints stem from an academic matter.

Procedures or undertakings which may cause an individual to raise a complaint of a non-academic nature can include but is not limited to:

- Course enrolment procedures and processes
- The type and nature of personal information The College may collect and hold relating to an individual
- Advertising on The College website or on one of its social media platforms.

Should a non-academic related complaint be aired and or submitted, The College's CEO will follow the procedures as stated in part 6. Complaints Handling Procedure – Internal steps 1-9. When dealing with the complaint.

In keeping with 4. Relationship to Continue Continuous Improvement, The College will try and use outcomes and issues raised from both academic and non-academic based complaints as an opportunity to improve upon its practices and procedures so that future complaints of a similar nature are reduced or eliminated.

End of Procedure

**Complaints Handling Process**



