

Complaint and Grievance Resolution

Objective:

South West Victorian SEAL Inc. aims to have positive and harmonious relationships between its students, staff and contractors, but recognises that it is not always possible to achieve this.

There may be occasions where a student, a staff member, or a contractor wishes to lodge a written complaint or grievance against South West Victorian SEAL Inc. in terms of its staff, training and assessments, facilities etc.

This procedure describes the way in which South West Victorian SEAL Inc. will attempt to resolve such complaints and grievances.

Scope:

This procedure applies to all students, staff and contractors of South West Victorian SEAL Inc.

Complaints or grievances may relate to administrative, personnel, or training and assessment matters. Complaints will be referred elsewhere if they do not fall within South West Victorian SEAL Inc.'s capacity to take remedial action.

Where a complaint or grievance involves the CEO of South West Victorian SEAL Inc., the Chair of the Committee of Management (CoM) will act in the capacity otherwise ascribed to the CEO.

Responsibilities:

South West Victorian SEAL Inc. will endeavour to resolve any complaint or grievance through discussion, negotiation and conciliation. Every effort will be made to resolve the matter at an informal level where possible. Where it is not possible to resolve a complaint or grievance informally, South West Victorian SEAL Inc. will follow the formal process described in this procedural document.

Where a complaint results in a disciplinary process for a student, staff member or contractor, the matter will be reported to the CoM at their next scheduled meeting.

Procedure:

Step	Responsibilities	Links
<p>1 Informal Discussion</p> <p>Informal Discussion should be the first consideration in resolving a complaint or grievance.</p> <p>If you can, try to resolve the problem yourself with the person(s) involved as soon as possible.</p> <p>There will be no need to involve Management at this stage or fill in any paperwork</p> <p>You may find that the alleged offender didn't mean to do what they did or made an honest mistake in their training or discussions with you. If this does not work or if you're unsure of how to handle the problem yourself, or you just want to talk about the problem with someone and get more information about what you can do, talk to your program coordinator or manager/supervisor depending on the type of complaint.</p> <p>This form of dispute resolution is appropriate only if the person making the complaint or has a grievance agrees.</p> <p>The appropriate action, based on the mediation, must be undertaken promptly. Such action may include:</p> <ul style="list-style-type: none"> •An apology. •Changes to work practices agreed to by the parties involved. •Further training to cover what was missed from the training outline at South West Victorian SEAL Inc. 's expense <p>If Informal Discussion is not acceptable to the complainant the next step is a Formal Mediation procedure</p>		<p>Complaint Form (SWS-Administration Forms)</p> <p>Staff Privacy Agreement (SWS-Administration Forms)</p> <p>Student assessment appeal (SWS-Administration Forms)</p>
<p>2 Formal Mediation</p> <p>Any complaint or grievance that has been notified in writing using the complaint form will be entered into a Complaints Register (unless it is against the CEO in which case see step 3).</p> <p>The Register will be treated as a confidential document and held in the CEO's</p>	<p>SWS-CEO SWS-Training Manager</p>	<p>Complaint Form (SWS-Administration Forms)</p> <p>Student assessment</p>

<p>office.</p> <p>The Register will record details of the complaint, date of notification, parties involved in the matter, and eventually the outcome.</p> <p>The complainant is responsible for ensuring that they:</p> <ul style="list-style-type: none"> •make the complaint honestly and in good faith using the Complaint form on QKnet or available from reception at Hamilton and Warrnambool. •provide all the facts relevant to the complaint. •co-operate with the investigation and resolution processes. <p>If a complaint has been made about you, when you are made aware of this, you are responsible for ensuring that you:</p> <ul style="list-style-type: none"> •cooperate with the investigation and resolution processes. •provide a written response to the complaint which has been made using the complaint form on QKnet or available from reception at Hamilton and Warrnambool. •provide all relevant facts to the person conducting the investigation. <p>The CEO will ensure that action is taken to investigate the written complaint within 5 working days of notification.</p> <p>The investigation may be undertaken by Training Manager (TM) or CEO or by someone external to SEAL Inc. who has appropriate skills and experience.</p> <p>An investigation will usually involve interviewing any parties to the complaint, witnesses, or other relevant parties.</p> <p>Notes will be kept of any such interviews, and stored in the Complaints Register.</p> <p>Any person nominated in the complaint will be provided with written details of the allegation against them and will have the opportunity to respond before resolution is attempted.</p> <p>The investigator will make recommendations regarding resolution of the complaint or grievance and the CEO will make the final determination on the balance of evidence provided.</p> <p>At each stage of the formal process the parties concerned may be supported a support person such as a student, staff member, family member, friend, CoM member, colleague or a member of a professional or trade organisation.</p> <p>Every effort will be made to resolve the matter within 15 working days of the notification of the complaint.</p> <p>Where this timeline cannot be met, parties to the complaint will be kept informed of any delays.</p> <p>If the complaint or grievance cannot be resolved through the formal process, independent mediation may be arranged by the CEO.</p> <p>A complainant may withdraw their complaint at any stage or choose to have the complaint resolved informally. Withdrawal of the complaint must be made in writing to the CEO.</p> <p>Where the outcome of a formal complaint or grievance resolution process remains in dispute, the complainant has a right to appeal using the process described in step 4.</p>		<p>appeal (SWS-Administration Forms)</p>
<p>3 Formal stage involving CEO</p> <p>Any complaint or grievance that has been notified in writing concerning the CEO will be entered into a Complaints Register held by the CoM. The Register will record details of the complaint, date of notification, parties involved in the resolution, and the outcome. The Register will be treated as a confidential document and held with the CoM.</p> <p>The CoM will ensure that action is taken to investigate the written complaint within 5 working days of notification. The investigation may be undertaken by the CoM or by someone external to South West Victorian SEAL Inc. who has appropriate skills and experience.</p> <p>An investigation will usually involve interviewing any parties to the</p>	<p>SWS-CoM Member CEO</p>	

<p>complaint, witnesses, or other relevant parties. Notes will be kept of any such interviews, and stored with the CoM. Any person nominated in the complaint will be provided with written details of the allegation against them and will have the opportunity to respond before resolution is attempted. The investigator will make recommendations regarding resolution of the complaint or grievance and the CoM will make the final determination. At each stage of the formal process the parties concerned may be supported by a staff member, colleague or a member of a professional or trade organisation.</p> <p>Every effort will be made to resolve the matter within 15 working days of the notification of the complaint. Where this timeline cannot be met, parties to the complaint will be kept informed of any delays.</p> <p>If the complaint or grievance cannot be resolved through the formal process, independent mediation may be arranged by the CoM.</p> <p>A complainant may withdraw their complaint at any stage or choose to have the complaint resolved informally. Withdrawal of the complaint must be made in writing to the CoM.</p> <p>Where the outcome of a formal complaint or grievance resolution process remains in dispute, the complainant has a right to appeal using the process described below.</p>		
<p>4 Appeals Process There are many methods of appeal depending on the type of complaint.</p> <p>1. Complaining to the Victorian Ombudsman You can complain to the Victorian Ombudsman if you are unhappy about the way you have been treated by SEAL Inc. The Ombudsman investigates complaints made against staff who work for government departments, statutory authorities and local councils. You can telephone the Ombudsman's office on (03) 9613 6222 or toll free on 1800 806 314 (regional only). The Ombudsman has a team of experienced enquiry and investigation officers who handle enquiries and complaints received by the office. Before making a complaint Some useful tips for making a complaint to an authority It is often more effective to write rather than call, especially if your complaint is complex and you need to provide copies of documents. Even if you feel angry or frustrated, staying calm and focusing on the main problem will help you to get your point across. Whether you write or call, you should stick to the main facts and provide as much detail as needed to understand and resolve the problem, but no more. Ask for the name of the person you speak with and their position. Keep a note of the conversation and the date and time of your call. It is useful to indicate what action you think the authority should take to resolve the problem. Be calm and polite. Becoming abusive or blaming an individual often encourages people to defend their actions and may prevent them from seeing the issue from your perspective. If your request is reasonable and realistic, you are more likely to be satisfied with the agency's response.</p> <p>2. Complaining to ASQA (Australian Skills Quality Authority) ASQA regulates courses and training providers to ensure nationally approved quality standards are met.</p> <p>If you have a complaint alleging that SEAL Inc. is breaching or has breached its requirements for Vocational training (including misleading representation or advertising), please complete the Complaint about a training organisation</p>		

operating under ASQA's jurisdiction form.
You can submit the form by email to complaintsteam@asqa.gov.au.
Alternatively, you can print and complete the form and post it to:

Complaints Team
Australian Skills Quality Authority
GPO Box 9928
SYDNEY NSW 2001

If you need help with the form, or if you are unsure whether ASQA can help with your complaint, call the complaints team on 1300 701 801 or email complaintsteam@asqa.gov.au

4. Complaining to Worksafe

If you have a complaint alleging that SEAL Inc. is breaching or has breached the Worksafe Act, please complete the Complaints form
<http://www.worksafe.vic.gov.au/about-worksafe-victoria/complaints-process#q1>

How to make a complaint

To lodge a complaint directly with us, you can call, write or email us.

- Phone - call us on freecall 1800 136 089 or (03) 9641 1444
- Email - complaints@worksafe.vic.gov.au
- Mail - write to us or complete our complaints form and post to 222

Exhibition Street MELBOURNE 3000

If we can't solve your issue straight away, we will collect all the information from you and keep you informed of our progress.

If you are unsure about what to do, or need assistance or advice, contact our Advisory Service.

5. Complaining to Higher Education and Skills Group

If you have a complaint alleging that SEAL Inc. is breaching or has breached a training package (including misleading representation or advertising or delivery), please contact the following

Higher Education and Skills Group
Phone 03 9651 9999 Fax Number 03 9651 9129
Website www.education.vic.gov.au...

Address

2 Treasury Place East Melbourne

Victoria, 3002

Postal Address

PO Box 266 Melbourne

Victoria, 3001

References to Standards and Legislation:

NVR Part 3 2012: Essential standards for continuing registration 16: SNR 16 Access and Equity

NVR Part 3 2012: Essential standards for continuing registration 18: SNR 18 The RTO has governance arrangements

NVR Part 3 2012: Essential standards for continuing registration 20: SNR 20 Compliance with legislation