# Complaints Handling Policy and Procedure

## 1. Purpose

The purpose of this policy and procedure is to ensure:

- information about how to provide feedback and make complaints is publicly available and easily accessible
- complainants are supported to provide feedback and make complaints
- persons making a complaint are afforded procedural fairness
- we handle complaints within a reasonable timeframe for responding to and resolving complaints
- we provide options for further action through relevant third parties where complaints are not resolved
- outcomes of complaints are documented and communicated
- feedback and complaints are used to inform continuous improvement to prevent the reoccurrence

## 2. Definitions

**Complainant** means the person making a complaint, this may be a student, employer, trainer or any other person making a complaint. It is not limited to complaints made by students only.

**Complaint** generally means negative feedback about services or people which has not been resolved locally.

## 3. Policy statement

### 3.1 Approach to complaints

VACTS are open to receiving feedback and complaints. We are committed to providing a fair and transparent complaint handling process. We do this by:

- ensuring there is no detriment to people who complain
- fostering a receptive, blame-free culture that is open to feedback and improvement

- providing a range of avenues through which people may make complaints –e.g. via email or verbally to trainers, the Student Support Officer or other relevant staff.
- Making information on our complaints handling process publicly available on our website and in our Student Handbook providing transparency regarding how complaints and feedback are handled, what complainants can expect and expected timeframes for resolution of complaints.

**3.2 Ensuring procedural fairness**

VACTS implement the following mechanisms to ensure procedural fairness when handling complaints:

- the complaint is handled by an unbiased person
- both the complainant and the subject of the complaint (where this is a person) are given an opportunity to be heard and to provide relevant information
- similar complaints are treated in a consistent manner to ensure fairness and reliability in the resolution process
- a person making a complaint will be informed of any outcome or decision before the decision is implemented and will have the option to respond
- the privacy of complainants is protected,and the information included in a complaint is kept confidential.

**3.3 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.Where the issue cannot be resolved locally and needs to be from last as a complaint is to be made in accordance with the following section.

**3.4 Making a Complaint**

A complaint may be received by VACTS 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.

The complaints policy must be publicly available. This means that the complaints policy and procedure will be published on the VACTS website and will be communicated to complainants within the complainant handbook.

Complaints are to be handled in the strictest confidence. No VACTS representative is to disclose information to any person without the permission of the CEO. A decision to release information to third parties can only be made after the complainant has given permission for this to occur. This permission should be given By providing written consent.

VACTS shall maintain the enrolment of the complainant during the complaint handling process.

The complainant is entitled to be heard with access to all relevant information and with the right of reply ensuring procedural fairness is applied at every stage of the complaint process.

The complainant may be accompanied and/or assisted by a support person at any relevant meeting.

**3.5 Communicating the Complaint Handling Policy and Procedure**

The complaints handling policy will be:

- Publicly available on the VACTS Website - https://www.vacts.edu.au/
- Integrated into the VACTS Student Handbook- It can be accessed from our website- https://www.vacts.edu.au
- Included in the VACTS Policy and Procedure

Complainants are also encouraged to provide feedback to their Trainer, the Student Support Officer or any other VACTS staff member at any time, as outlined in the *Student Handbook* and *Continuous Improvement Policy and Procedure*.

**3.6 Complaint Handling Timeframe**

We are committed to resolving complaints in a reasonable timeframe and without unnecessary delay. While we will respond to all complaints in a timely manner, some complaints may require more urgent attention than others, and some complaints may take longer to resolve than others.

- **Written Acknowledgement** - The first step is written acknowledgement by VACTS **no later than 24 hours** from the time the complaint is received. This acknowledgement is intended to provide the complainant assurance that VACTS has received the complaint and will review the relevant issues and provide a response as soon as practical. The acknowledgement must inform the person that they will receive a written response.
- **Initial Assessment and Categorisation –** VACTS will triage complaints by classifying complaints based on severity, urgency, and nature, and prioritising cases that need immediate attention. An initial assessment and categorisation of the complaint will be conducted **within 2 working days** based on:

- **Severity:** Determine if the complaint involves safety, harassment, discrimination, or legal concerns, which would necessitate urgent action. Less severe complaints could involve general dissatisfaction or requests for improvement.
- **Urgency:** Consider how soon the issue needs to be resolved. Complaints that could impact ongoing training sessions or reputation may need to be escalated.
- **Nature of Complaint:** Identify if it's related to training and assessment, trainer behaviour, administrative issues, or facilities.

**Prioritisation**

Assign a priority level (e.g., critical, high, medium, low) based on the assessment. For instance:

- **Critical:** Complaints with legal or safety implications, or those that could harm complainants' well-being.
- **High:** Issues with significant impact on training quality or participant experience, such as trainer behaviour or course content.
- **Medium:** Less urgent issues, like scheduling or minor logistical concerns.
- **Low:** Minor complaints, often administrative or preference-based, which don't require immediate resolution.

– **Handling the complaint** - Complaints that have been categorised as Severe, with a Critical priority rating, will be acted on immediately. The handling of all complaints will commence within **seven (7) calendar days** of the lodgement of the complaint and all reasonable measures will be taken to finalise the process as soon as practicable. A written response must be provided to the complainant within **fourteen (14) calendar days** of the lodgement of the complaint.

- As a benchmark, VACTS should attempt to resolve complaints as soon as possible. A timeframe to resolve a complaint within **thirty (30) calendar days** is considered acceptable and in the best interest of VACTS and the complainant.

- A complainant should also be provided with regular updates to inform them of the process of the complaint handling. Updates should be provided to the complainant at a minimum of **two (2) weekly intervals**.

Complaints must be resolved to a final outcome within **thirty (30) calendar days** of the complaint being initially received. Where VACTS Chief Executive Officer considers that more than 30 calendar days are required to process and finalise the complaint, the CEO must inform the complainant in

writing, including reasons why more than 30 calendar days are required, and maintain regular fortnightly contact with the complainant including to explain any further delays.

**3.7 Principles of Natural Justice and Procedural Fairness**

A complainant is to be provided an opportunity to formally present his or her case at no cost. The principles of Natural Justice and Procedural Fairness must be incorporated into the complaint handling process to ensure that decision-making is fair and reasonable. Natural justice must be observed when it affects the rights, interests or legitimate expectations of individuals. The following principles are to be applied:

**CEO and bias.** Where the CEO feels that they may have bias or there is a perception of bias or where the person making the complaint is not satisfied with how the matter has been handled, the complainant is to be referred directly to an independent third-party for consideration and response.

**Responding to Allegations.** Where a complaint involves one person making allegations about another person, it is a requirement for VACTS to hear both sides of the matter before making any judgements about the complaint should be settled. A person who will be affected by a decision made by VACTS as a result of a complaint has the right to be fully informed of any allegations and to be provided adequate opportunity to be heard and respond. The person has the right to:

- Put forward arguments in their favour,
- Show cause why a proposed action should not be taken,
- Deny allegations,
- Call for evidence to disprove allegations and claims,
- Explain allegations or present an innocent explanation, and
- Provide mitigating circumstances (information aimed at reducing the severity, seriousness of something).

VACTS also has an obligation to fully consider the substance of allegations and the response provided by parties before making a decision. Decisions must be communicated to the complainant and relevant person's subject of allegations in writing. This is to include advising these persons of their right to seek a third-party review of decisions made by VACTS.

**Referring matters to authorities.** Where an allegation is made that involves alleged criminal or illegal activity and it is considered outside the scope and expertise of VACTS to investigate the matter, then in these circumstances VACTS reserves the right to report these allegations to law

enforcement authorities. Persons related to the matter involving alleged criminal or illegal activity will be advised in writing if this course of action is being taken.

**Third Party Review.** Where the person making a complaint is not satisfied with the handling of the matter by VACTS, they have the opportunity for a body or person that is independent of VACTS to review his or her complaint following the internal completion of complaint handling process. Before a person seeks a review by an independent third party, they are requested to first allow VACTS to fully consider the nature of the complaint and to respond to the person in writing. If after this has occurred, the person is not satisfied with the outcome, they have the right then seek a review by an independent third party. To request a review by an independent third party, the complainant should inform the Office Manager of their request who will initiate the process with the Chief Executive Officer.

In these circumstances, the VACTS Chief Executive Officer will advise of an appropriate party independent of VACTS to review the complaint outcome (and its subsequent handling) and provide advice to VACTS in regard to the recommended outcomes. The independent third-party is required to respond with their recommendations within **fourteen (14) working days** of their review being requested. This advice is to be accepted by VACTS as final, advised to the person making a complaint in writing and implemented without prejudice.

Where the VACTS appoints or engages an appropriate independent person to review a complaint, the VACTS will meet the full cost to facilitate the independent review.

**3.8 Unresolved Complaints**

Once the complaint handling process has concluded; where the person making a complaint remains not satisfied with the outcome of the complaint handling procedure, the person is to be advised that they have the right to refer the matter to any external authority/agency that may be relevant to their complaint.

The following external agencies are nominated in the first instance as relevant points of referral the person may consider:

- In relation to consumer related issues, the person may refer their complaint to the **Office of Fair Trading**.

- In relation to the delivery of training and assessment services, the person may refer their complaint to the **National Training Complaints Service** via the following phone number: 13 38 73 or visit the website at https://www.dewr.gov.au/national-training-complaints-hotline or alternatively to the Australian Skills Quality Authority at the following website https://asqaportal.asqa.gov.au/Make-a-Report//?from=tip-off

- In relation to matters relating to privacy, the person may refer their complaint to the **Office of the Australian Information Commissioner** via the following details: https://www.oaic.gov.au/individuals/how-do-i-make-a-privacy-complaint or call on 1300 363 992

This guidance is also communicated to complainants within the Student Handbook and also within the publicly available policies and procedures on VACTS website- https://www.vacts.edu.au. It is expected that the above agencies will investigate the persons concerns and contact the VACTS for information. External agencies will typically request a copy of any record of how the complaint was handled from the person. VACTS is to ensure that the person is provided with a written response that they may use for this purpose.

The VACTS is to cooperate fully with agencies such as the National Training Complaints Service, the Office of Fair Trading or ASQA that may investigate the handling of a complaint. VACTS considers that it would be extremely unlikely that a complaint is not able to be resolved quickly within VACTS internal arrangements.

**3.9 Record Management of Complaint Records**

Records relating to complaints will present in two formats. There will be electronic records in the form of email correspondence and other documents which are communicated electronically and hard copy records which are submitted by the complainant or generated by VACTS. There is also a record of the complaint maintained within the VACTS complainant management system. This includes the details about the complaint and a diary log which records the progress of the complaint handling and closure. This record also records identified opportunities for improvement that result from complaints handling.

All records regardless of their format will be saved in a digital format into a secure folder located on the VACTS file storage. Each file is to be clearly labelled with the document title or subject and the date of which the document was received or generated. This folder must only be accessible to persons authorised by the Chief Executive Officer. Records stored on the complainant management system are to be accessible only to administrators and managers.

To ensure records are maintained in a safe and suitable condition, the following is to apply:

- Records must be kept securely to prevent them being accessed by any non-authorised personnel.
- Records must be kept confidential to safeguard information and to protect the privacy of complainants.
- Records must be kept to avoid damage by fire, flood, termites or any other pests.

- Electronic data storage must be safe from destruction by fire or flood and should take account of the risk of component failure of a single storage device. Electronic data is also to be backed-up off site.

A correspondence record must be made for each complainant making a complaint. All email and letter communication should be retained with the complainant correspondence record within the complaint handling file.

### 3.10 Period of retention of Complaints Records

VACTS is to retain records relating to complaints handling for a minimum of five (5) years.

### 3.11 Destruction of Complaints Records

The CEO is the only person who can authorise (in writing) the destruction of complaint handling records. Records are only to be authorised for destruction after the retention period has lapsed.

# 4. Considerations

**4.1 Relationship to Continuous Improvement**

Frequently, the complaints handling process will expose weakness in the training and assessment or administrative 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. At the end of the complaint handling process, consideration is to be given to opportunities for improvement that can be applied to prevent the recurrence of the complaint.

# 5. Procedure

| **Steps** | | **Person/s responsible** |
|---|---|---|
| **5.1 Complaints Handling** | | |
| i. | **Inform complainants of Complains Handling process**<br><br>Upload Complaints Handling policy and procedure on our website and provide to complainant in their *Complainant Handbook*. | CEO |
| ii. | **Receive Complaint**<br><br>A complaint may be received in any form (written or verbal) although persons seeking to make a complaint are recommended to complete the *Complaint Form* which is available to them on the VACTS website or can be obtained from the VACTS office.<br><br>There is no time limitation on a person who is seeking to make a complaint.<br><br>The completed complaint from is to be submitted to the Office Manager either in hard copy or electronically via the following contact details:<br><br>171 Sydney Road, Coburg VIC 3058 | Student Support Officer |

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| | info@vacts.edu.au<br><br>If a complainant has any difficulty assessing the required form or submitting the complaint to VACTS, they are advised to contact VACTS immediately at the following phone number:<br><br>Phone: +61 3 9995 3642<br><br>Student Support Officer can help them in explaining the complaint process and assist them in completing the Complaint Form. | |
| iii. | **Acknowledge receipt of complaint**<br><br>The complainant must be provided a written acknowledgement as soon as possible and no later than 24 hours from the time the complaint is received using the written acknowledgement email. The acknowledgement must inform the complainant that they will receive a written response within 14 days and explain the complaints handling process and the person's rights and obligations. | Student Support Officer |
| iv. | **Determine complaint handling priority.**<br><br>**Initial Assessment and Categorisation -** Triage complaints by classifying complaints based on severity, urgency, and nature, and prioritising cases that need immediate attention. An initial assessment and categorisation of the complaint will be conducted **within 2 working days** based on:<br><br>• **Severity:** Determine if the complaint involves safety, harassment, discrimination, or legal concerns, which would necessitate urgent action. Less severe complaints could involve general dissatisfaction or requests for improvement.<br><br>• **Urgency:** Consider how soon the issue needs to be resolved. Complaints that could impact ongoing training sessions or reputation may need to be escalated.<br><br>• **Nature of Complaint:** Identify if it's related to training and assessment, trainer behaviour, administrative issues, or facilities.<br><br>**Prioritisation** | |

| | | |
|---|---|---|
| | Assign a priority level (e.g., critical, high, medium, low) based on the assessment. For instance:<br>• **Critical:** Complaints with legal or safety implications, or those that could harm complainants' well-being.<br>• **High:** Issues with significant impact on training quality or participant experience, such as trainer behaviour or course content.<br>• **Medium:** Less urgent issues, like scheduling or minor logistical concerns.<br>• **Low:** Minor complaints, often administrative or preference-based, which don't require immediate resolution. | |
| v. | **Record Complaint**<br>The complaint must be entered into the *Complaints and Appeals Register*. The Complaints and Appeals Register identifies the complainant, relation with VACTS, nature of complaint, findings/outcomes, any links with the Continuous Improvement report and the dates received and closed. Prior to entering the complaint form into the register, check if the person has not already submitted a complaint, if it is accurately recorded or if it has been recorded as a subsequent contact.<br>The complaints register within the complainant management system 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 complaints handling must be stored securely to prevent access to unauthorised personnel. | Student Support Officer |
| vi. | **Review and investigate complaint**<br>The complaint is forwarded to the Chief Executive Office for review. The CEO will determine if the complaint requires further investigation or consultationor if the matter can be solved internally. | Student Support Officer<br>CEO |
| vii. | **Keep the complainant up to date** | Student Support |

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| | As the complaint handling is progressing,the complainant is to be provided regular updates not less than every two weeks advising them of the status of the complaint and how it is progressing. | Officer<br><br>CEO |
| viii. | **Give opportunity to respond (if applicable)**<br><br>Where a complaint is made about or involves allegations about another person, VACTS is obliged to inform this person about this complaint or allegation and provide them the opportunity to respond and present information in response to the issues raised. | CEO<br><br>Student Support Officer |
| ix. | **Refer to Police (if applicable)**<br><br>Where a complaint is received by VACTS which involve allegations about alleged criminal conduct, VACTS are to recommend the person making the complaint refer the matter to the relevant State or Territory Police Service. | CEO |
| x. | **Determine response and communicate to the complainant**<br><br>The CEO reviews the outcomes of the investigation/consultation and determines the complaint response within 30 days.<br><br>Communicate the findings and outcomes to the complainant. | CEO |
| xi. | **Review by an independent third party, where required**<br><br>Where a complainantis not satisfied with the handling of the complaint by VACTS, a body or person from an independent third party can be requested to review the complaint. The third-party is required to respond to with their recommendations within **fourteen (14) calendar days** of their review being request. The complainant is to be advised of review by a third party. | CEO<br><br>Independent Third Party |
| xii. | **Implement response and Advise Complainant**<br><br>Decisions or outcomes of the complaint handling process shall be implemented immediately. The complainant shall be advised of the complaint outcome in writing. | Student Support Officer |
| xiii. | **Obtain written acknowledgement from the complainant** | Student Support Officer |

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| | VACTS must request written acknowledgement from the complainant once the complaint has been resolved. | |
| xiv. | **Consider any Opportunities for Improvement to this process**<br><br>Consider the opportunities for improvement that may have emerged during the process and record these within a Continuous Improvement Report for consideration at a future management meeting. | Student Support Officer<br><br>Training Manager<br><br>CEO |
| xv. | **Document Response**<br><br>The complaint must be updated and recorded in the *Complaints Register*. All associated documents relevant to the complaint should be retained including any records of continuous improvement. | Student Support Officer |

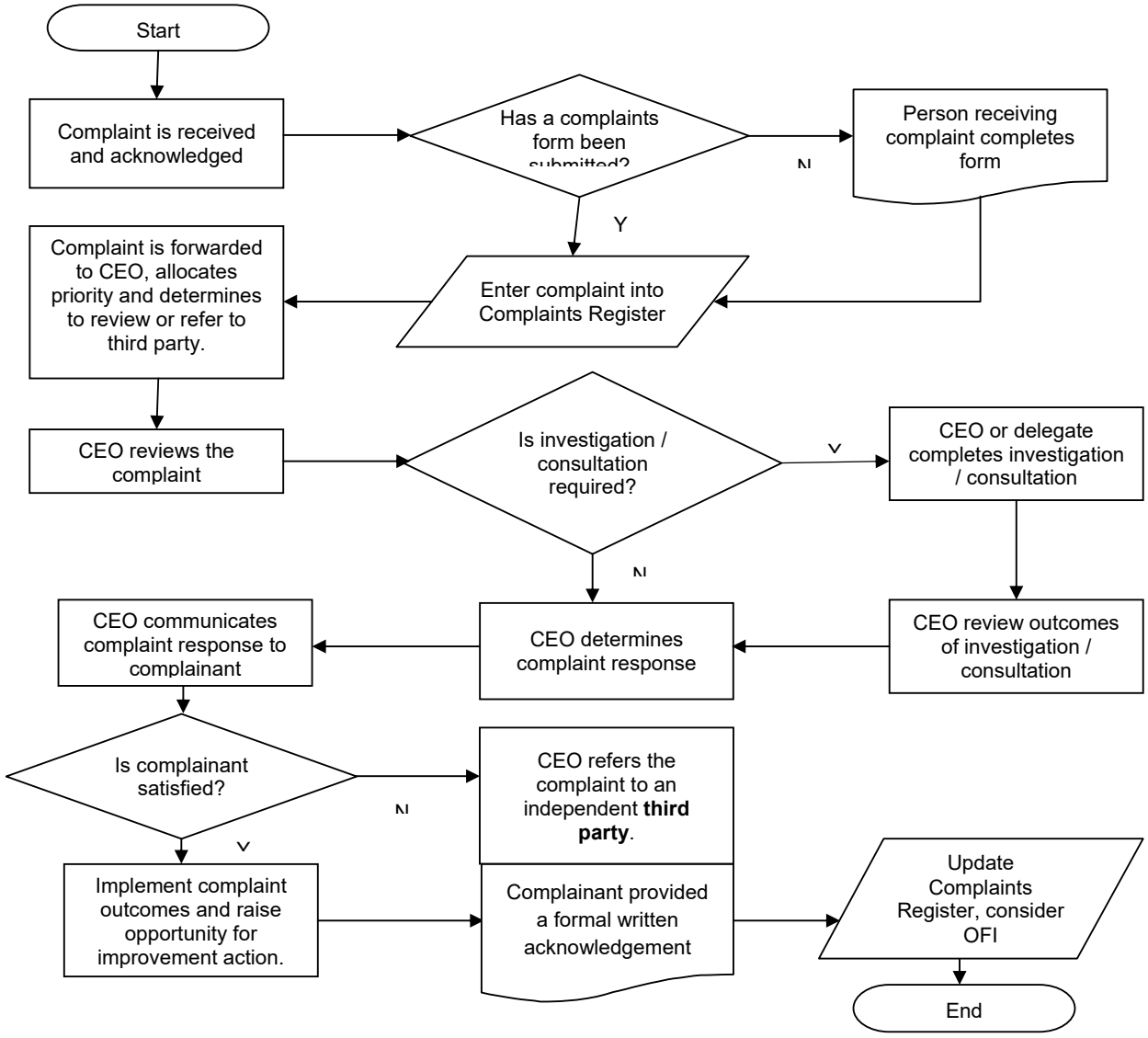
## 6. Related documents/forms

### Forms

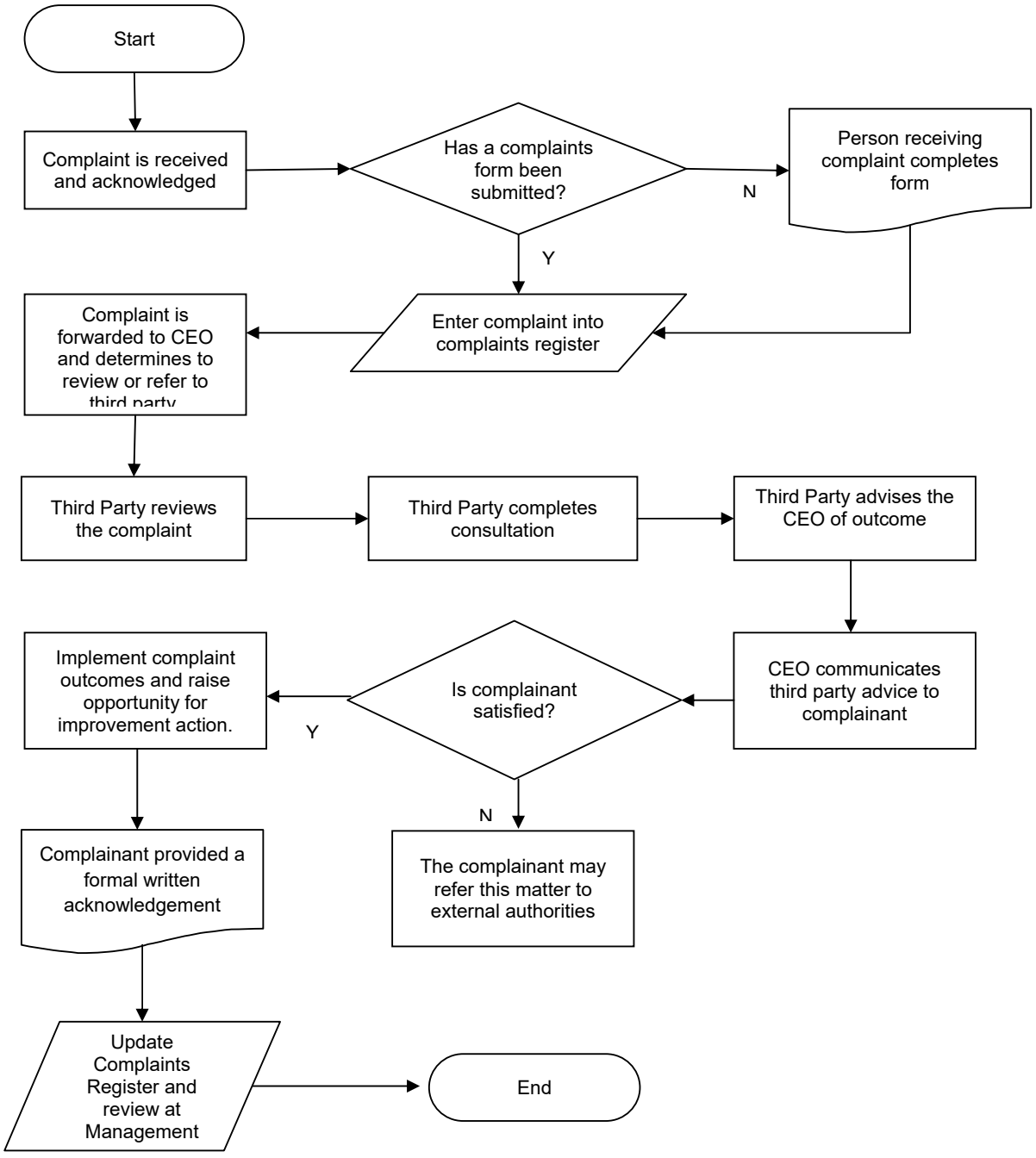
- Complaints and Appeal Form
- Complaints and Appeals Register
- Continuous Improvement Register

## 7. Flow chart

**Complaints Handling Process**



## Third Party Review Process



## 8. Reference(s)

2025 Standards for Registered Training Organisations (RTOs) :

**Outcome Standards for NVR RTOs, Standard 2.7**. Feedback and complaints management addresses concerns and informs continuous improvement of the NVR registered training organisation.

ESOS Act 2000 - National Code of Practice for Providers of Education and Training to Overseas Students 2018, Standards 10

***Standard 10 Complaints and appeals:*** This standard sets out that registered providers must ensure their overseas students have the right to natural justice protected through access to professional, timely, inexpensive and documented complaints handling and appeals processes.