

COMPLAINTS AND APPEALS POLICY

OVERVIEW

Under this policy, a grievance is defined as any type of problem, concern, dispute or complaint related to work, the work environment, or provision of Adelaide Training and Employment Centre (ATEC) services which cannot be resolved through normal day to day communication. This includes disputes related to assessment processes undertaken by ATEC staff and to any assessments conducted under the auspice of ATEC through a partnering organisation.

Referral to the relevant enforcement agency is appropriate for matters of a criminal nature.

All grievances including complaints and assessment appeals need to be handled promptly and with transparency and the parties are expected to participate in good faith, cooperating fully with the various aspects involved in investigating and/or resolving the grievance.

Complaints

The purpose of this policy is to set out ATEC's efforts to identify the underpinning principles and elements of complaints handling to promote the timely and transparent resolution of issues/grievances raised by people (the complainant) providing and/or accessing ATEC's services.

The scope of this policy and related procedures apply to all of ATEC's operations and persons associated with ATEC, whether student, client, a third party providing services on behalf of ATEC.

At ATEC it is expected that respect, courtesy and professionalism underpin our interactions with all people and this, together with our commitment to safety, requires us to acknowledge our role in genuinely attempting to resolve the problems, disputes and grievances that may arise from time to time at the workplace level in a prompt, fair, and non-aggressive manner.

Appeals

ATEC is committed to providing a quality service to students and endeavours to ensure all students are fully prepared for assessment. However there may be occasions where a student may wish to appeal their assessment result. In the instance of any assessment appeal ATEC will ensure any appeal is treated seriously. Assessment appeal outcomes will be recognised officially as the final result for that assessment.

PRINCIPLES

The following principles underpin ATEC's grievance, complaints and appeals process and should be adopted at every stage of the grievance resolution process.

Respect: People are expected to respect each other's self-esteem and confidentiality

Confidentiality: ATEC will treat the grievance-handling process confidentially. All people involved are expected to maintain the confidentiality of the complaints handling and investigative forums; this means discussions are to be confined to those directly involved in the management of grievances or in the course of seeking advice

Promptness: Each grievance will be dealt with in as short a time as possible in the circumstances with due regard to thoroughness.

Appropriateness: The person handling the grievance is seen to be impartial, unbiased and has the authority to handle the situation.

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- Fairness:** No decision is made until the relevant information has been assessed. The outcome must be related to the nature of the findings with consideration of the circumstances, previous record and extenuating factors.
- Consistency:** Similar circumstances result in similar outcomes.
- Transparency:** The issue and outcomes under consideration are known to both parties.
- Sensitivity:** When a person comes forward with a complaint, they will be treated fairly. All people handling the grievance must be sensitive to the needs of those directly involved, and also to others who may be indirectly affected by the grievance.
- Natural Justice:** The person against whom a complaint has been made (the respondent) will be given the opportunity to be heard and respond to the issues. The parties involved in the grievance may have an appropriate support person.

The support person's role is to:

- provide moral or emotional support
- observe the proceedings and make notes if desired
- if appropriate, request a break in the meeting/interview for private discussion of relevant issues with the person
- not advocate for the person but rather be there as a respected person who is concerned for the emotional and moral welfare of the person
- not provide their own opinions during the proceedings
- be available to the person after the meeting as someone to debrief with about the proceedings, which are confidential.

Informal complaint/grievance/appeal:

A verbal or written complaint is where the person wishes to discuss and resolve (or seek assistance to resolve) the incident without accessing formal proceedings.

Mediation:

Mediation is a confidential process where an independent and neutral third party assists the disputants to voluntarily reach a mutually acceptable settlement of the grievance/issues in dispute. The mediator does not have the authority to impose a decision upon the parties. However, the mediator is able to assist the parties explore the issues in depth and negotiate an agreed outcome.

Conciliation:

Conciliation is where a third party gathers facts and hears options. The conciliator may more actively negotiate between the employees in dispute and often have content knowledge of the issues, expressing opinions about the attitudes and positions taken by the parties, possibly even making recommendations.

Formal complaint/grievance/appeal:

A formal grievance is when a person has a grievance that they want investigated and a formal response made to them.

A formal complaint is in written form and includes dates, times, places and details of what took place, who was involved and any other relevant information. In the interest of procedural fairness any the formal complaint process written allegations involving another person will be provided to

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that person unless the grievance relates to alleged criminal matters such as corruption, fraud or child abuse and referral to the relevant enforcement agency is appropriate.

Victimisation:

If, in good faith, a person lodges a grievance or gives information about a complaint, it would be victimisation **if** they were **subjected to any other detriment** as a result of their actions. Victimisation is illegal and unacceptable.

PROCESS FOR HANDLING GRIEVANCES

ATEC's Client Complaints Resolution and Assessment Appeals Procedures (SUP-PRO-DOC-10.0) are available on the ATEC website at <http://www.atec.asn.au/pre-enrolment-information.html>, in student and staff policy manuals and upon request.